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**World Peace Foundation**  
**Pamphlet Series**

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**PUBLICATIONS**  
**OF THE**  
**WORLD PEACE FOUNDATION**

**VOLUME III**  
**1913**

**WORLD PEACE FOUNDATION**  
**40 MT. VERNON STREET, BOSTON**

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The Pamphlet Series was issued monthly during the year 1913, instead of quarterly as in previous years.

In this volume, besides the Pamphlet Series, are included certain publications issued in the same format and of permanent value. With the exception of one that is closely related to an issue of the Series, these casual publications are gathered at the end of the volume.

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## The Proper Attitude of the Hague Conference toward the Laws of War

Address at the Mohonk Conference on International Arbitration, May 15, 1913

By Jackson H[arvey] Ralston

# World Peace Foundation

## Pamphlet Series

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THE WORLD PEACE FOUNDATION

WORK IN 1912

PUBLISHED MONTHLY BY THE  
WORLD PEACE FOUNDATION  
29A BEACON STREET, BOSTON

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January, 1913  
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# THE WORLD PEACE FOUNDATION

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## ANNUAL REPORT TO THE TRUSTEES OF THE WORLD PEACE FOUNDATION BY THE MANAGING DIRECTOR

The Budget for 1913 is separately submitted. The 1912 appropriations were on the basis of an income of \$50,000 from Edwin Ginn and \$825 interest on the invested fund from the bequest from the estate of Frederick B. Ginn. The Foundation has received during the year additional contributions of something over \$600, and the year's receipts from the sale of books will be about \$800, which item the coming year will be much increased. In 1913 the second quarter of the amount due Ginn & Company for the books taken over from them by the Foundation last year is to be paid, this payment being \$1,872.

Since the last annual meeting one volume has been added to the International Library,—the important volume presenting Senator Root's argument in the Newfoundland Fisheries Arbitration, edited by Dr. Scott, which work has been placed in the hands of all of the Trustees. Two other works are now in press, and will be issued in December,—Andrew D. White's work upon "The First Hague Conference," reprinted from his Autobiography, and a work upon "The New Peace Movement," by Prof. William I. Hull, whose valuable work upon "The Two Hague Conferences," published in our International Library four years ago, is the most popular and useful brief history of the Conferences which has been published. Professor Hull's new work is an impressive survey of the varied activities which during the period beginning with the First Hague Conference have given to the peace movement throughout the world an entirely new character. Dr. White's account of the First Hague Conference is of unique interest and value, as the journal written day by day by the head of our American delegation, performing an office in many respects like that of Madison's journal for our Constitutional Convention of 1787.

Our pamphlet series has been strengthened during the year by many new issues, all of which have successively been sent to the Trustees. These pamphlets, which have been circulated in editions of from 10,000 to 20,000, have been prepared with reference to the international exi-

gencies of the year and the needs of the various classes in the community among whom respectively they have been chiefly circulated,—educational, religious, commercial, agricultural, and other groups. Several of these pamphlets were prepared for special service in the campaign last winter in behalf of the arbitration treaties with Great Britain and France; and two of these were prepared by our own Trustees: the discussion of the legal aspects of the treaties by Mr. Pillsbury and the pamphlet upon "Arbitration and our Religious Duty" by Mr. Cummings. I may here say that no pamphlet in our series has aroused deeper interest or wider demand than the last issue, the address upon "Foreign Missions and World Peace," by Mr. Capen of our Board of Trustees.

The campaign for the arbitration treaties was the most strenuous and, perhaps, the most important single effort of the year on the part of the Foundation as well as of the other peace forces of the country. Besides constant work for the treaties through our pamphlet service and the press, Dr. Jordan, Dr. Scott, Dr. Brown, Mr. Holt and the writer, among our Directors, gave numerous addresses in many parts of the country; and the services of Mr. Pillsbury, Mr. Cummings, Mr. Capen, Professor Dutton and President Swain, among our Trustees, were hardly less constant. No man in Congress served the cause more persistently or more effectively than Mr. McCall, whose untiring service in our behalf, and especially his coöperation with the writer during his visits to Washington in behalf of the peace interests, make him always one of the most valuable members of our Board of Trustees. Although the treaties in the complete form submitted by President Taft failed to pass the Senate, they are, even as modified, an advance upon our existing treaties, and will undoubtedly be concluded by the President before the close of his administration, as the alternative would be the renewal of the existing treaties, which are of more limited scope. Whatever the particular conclusion of this matter, the indirect service of the long and earnest campaign was invaluable. No other campaign for our cause was ever so broadly conceived or so well conducted. There was no class to which our message was not carried; there was hardly any class whose influential representatives did not somehow declare themselves in behalf of the broadest possible provisions for arbitration; many new organizations were established which will endure; and vital impulses were given in a thousand places which will continue to operate until treaties of the broad scope proposed by Mr. Taft are ratified between all the great nations.

Hardly second in importance to the campaign for the treaties was

the movement to secure the noteworthy success for our cause which was achieved through the meeting in Boston in September of the International Congress of Chambers of Commerce; and in this effort the Foundation took a much more creative and responsible part. We have constantly recognized the fundamental necessity of securing the coöperation for our cause of the leaders of the business world and especially of our American commercial organizations; and many of our publications have been addressed expressly to this end. Three years ago we saw how much might be accomplished if the International Congress of Chambers of Commerce could be brought to the United States for its biennial session the present year; and it was through our initiative and prompting that the invitation for this was presented to the London Congress of 1910 by representatives of our Boston Chamber of Commerce, which undertook the provision for the Congress in the United States. The result is well known, as the Boston Congress in September was not only the most important commercial gathering ever held, but proved in many ways the most impressive peace demonstration ever seen. For three years, through correspondence with every important Chamber of Commerce and Board of Trade in the country, and the careful circulation among them of our pamphlets and other literature, and latterly through the activity of the writer as a member of the Program Committee of the Congress, we did everything in our power during the period of preparation to strengthen the sentiment most favorable for the broadest influence of the Congress in the promotion of international good understanding and good will in the business world; and the Foundation devoted to the work during three years not less than \$8,000. At the Congress itself Mr. Ginn, Mr. Capen and the writer presented the special claims of the peace movement. The Congress was by far the largest and most important which has been held by this great organization, the most influential and representative commercial organization in the world. Over forty foreign countries were represented by more than 500 delegates, 300 American delegates also being present. The Congress was in session at the Hotel Copley-Plaza during four days, September 24-27; and the foreign delegates were then taken by special trains upon a tour to the leading commercial cities of the country as far west as Chicago, concluding their stay in America with a great meeting in New York.

The Congress was a great peace congress and a wonderful witness to the profound and pervasive conviction of the world's commercial leaders that the imperative interests of trade and industry to-day demand decisive action for the supplanting of the present system of

war and monstrous armaments by international courts and the judicial settlement of disputes between nations as between men. It took no other action which aroused such deep interest or such great enthusiasm as its endorsement unanimously of the effort to establish the International Court of Arbitral Justice and the united endeavor of the nations to prevent the atrocities of war. The resolution making this declaration of the sentiment of the Congress was offered by the President of the Congress himself, M. Canon-Legrand, in an eloquent address. The resolution was supported in earnest speeches by Sir John E. Bingham, former member of the British Parliament, representing the London Chamber of Commerce, and several other members of the Congress, and the scene of its adoption was the most stirring and impressive scene of the Congress. At the great banquet in the evening following this memorable demonstration President Taft, amidst prolonged and enthusiastic cheering, closed his impressive address with the following words:—

“I wish to speak of the influence upon the world by the coming of these delegates and these chambers of commerce to meet us and our meeting them. You come here for trade, to promote trade; and trade is peace. And if trade had no other good thing connected with it, the motive, the selfish motive in love of trade that keeps off war in order that trade may continue, is a sufficient thing to keep up trade for. I believe that we must have some escape in the future from the burden that is imposed by this increasing armament of nations. And you will never have the solution until you have furnished some means of certainly and honorably settling every international controversy, whether of honor or vital interest, by a court upon which all nations may rely. And if, as I believe, meetings like this stimulate the desire and the determination to reach some such result, I hope they may continue year after year until the dawn of permanent peace shall be with us.”

The promotion of the coöperation and friendship of the great commercial bodies of all nations, the advancement throughout the world of industry and trade of honor, integrity, high standards, good understanding, and good will,—these are the things which make these great international commercial congresses so beneficent and powerful. It is a good thing for the captains of industry and merchants of the world to get together to simplify and unify and make more intelligent their usages about checks and bills of lading and calendars and systems of statistics; but far deeper than these things, and the sure guarantee that all these will be rightly and wisely settled in due time, is the feeling of mutual trust and common purpose and reciprocal

service strengthened by such great gatherings as that which made that September week memorable in Boston and throughout the commercial world. Mr. Ginn feels, as does the writer, and as all of us must feel, that the Foundation has rendered no single service more distinctive and far-reaching in its probable consequences than in its initiative of this Boston Congress and its long and generous work in preparation for it and in helping toward its signal success; and from our own point of view few things in connection with it are more hopeful than the large number of important connections which were established through it with influential leaders in England and other countries, whose coöperation in our work in the years immediately ahead of us will be of peculiar service. I hope that the day is not distant when we may see in England, with perhaps similar results afterwards elsewhere, a Foundation essentially like our own, independent, yet working in close and hearty coöperation with us; and, if this desirable organization is ever established, I believe it will be largely through the efforts of strong English commercial men who took part in this great Boston Congress.

It should in this connection be repeated that, by his express desire, the name of the founder is in no formal or public way ever associated with the Foundation by the administration. His strongest wish is that the work which he has begun will so approve itself that other able men will take as deep an interest in it as himself, increasing its resources commensurately with its growing demands and great opportunities, and especially ensuring affiliated Foundations in the other great countries of the world.

The work with our American Chambers of Commerce, almost all of which are in sincere sympathy with our movement, will be systematically continued. Many of these bodies, at their occasional banquets and other meetings, give prominent place to addresses in behalf of our cause. Mr. Albert G. Bryant, who comes to us from California early next year, with warm commendations, to act as our business agent, to promote our general financial interests and push the sale of our publications, will look particularly after this work, and may be regarded as the head of our *commercial department*.

Let me here say, with reference to our International Library and other publications, that the taking over of all of these by the Foundation from Ginn & Company, who had heretofore published them for us, while imposing upon us a great increase of detail duty, will, I believe, in the end be a distinct advantage. This will be true, however, only if we push the sale of our books as they have never yet been pushed, with booksellers and with libraries; and to do this will be one of Mr.

Bryant's special duties. While our desire always is to give many books away, as one of the best forms of propaganda, there is no reason why, with the rapidly growing interest in the peace movement, every new issue in our International Library should not, with proper business enterprise, be made to pay for itself.

Attention was called in an earlier report to the deep interest in the peace cause manifested by the National Grange and other organizations of our American farmers. The National Grange has for several years had a special committee upon the peace cause; and the resolutions of its conventions have been most pronounced in our behalf. I ask special attention to our pamphlet on "The Grange and Peace." This interest has been manifested especially during the campaign for the treaties; and there is now a strong desire that the peace cause shall be regularly presented to the different Granges in connection with their annual courses of lectures. The Grange is in many of our farming communities the place where the people meet most frequently and most freely together; and it offers an educational opportunity which has not been adequately utilized. One of the leading members of the American Forestry Association, whose practical services in the great movement which that organization represents have not been second in importance to those of any other American, has profoundly at heart the enlistment of the Granges in the peace cause, especially in connection with our Foundation, of which he has long been a warm and useful friend. If the work in this direction proves as large and successful as I hope it will, I may later suggest to the Trustees an invitation to him to become a member of our Board of Directors. There is perhaps no interest in the world to-day which is better organized internationally than the agricultural interest. The International Institute of Agriculture at Rome, with experts from over forty nations constantly at work in its bureau in standardizing and making uniform the crop reports of the world, with the issue of monthly bulletins in several languages sent to all countries, is rendering an incalculable service. The fact of its conception and founding by an American citizen, David Lubin, is something of which Americans may well be proud; and President Taft has just emphasized by his broad and earnest message the necessity of our farmers learning from other nations of the rural credit system, whose operations, especially in Germany and France, are so beneficent. The central aim in the founding of the International Institute of Agriculture was to bring the farmers of the world into closer, more intelligent, and more efficient coöperation; and the Institute in its activity, as was conspicuously true of its original motive,

is a great peace agency. So important is this broad interest that the wise establishment, as soon as it can be well done, of an *agricultural department* of the Foundation is something to be carefully worked for; and in this I hope for much help from the best men in the field.

No less important is the establishment, as soon as it can be deliberately and well done, of a department devoting itself systematically to enlisting and utilizing the interest of our *workingmen*. The workingmen of the world are in essential sympathy with the peace movement. Where they are not in sympathy with it, it is usually not their fault. The great Social Democratic parties of Germany and other European countries, made up almost entirely of workingmen, are everywhere anti-military parties, so earnest and active for peace that more than once in recent times their demonstrations in critical exigencies have had a clear and perhaps determining influence on governments; and the workingmen's organizations of this country have declared themselves repeatedly and emphatically for the peace and arbitration cause. These men are voters. They will largely determine the issues of our politics at home and abroad. We are at last securing their proper participation in our peace congresses; and a broad and systematic work of education in this field is one of the cardinal necessities of our movement. With individual leaders in the labor organizations I have long been in close touch, constantly placing our literature in their hands.

The National Federation of Women's Clubs, including a million women, which two years ago at its Cincinnati convention first gave our cause a place upon its program, has the present year, at its convention in San Francisco, committed itself definitely to work for our movement, creating a special committee to promote its interests, prepare programs for the clubs throughout the country, and carry on in its great membership a systematic work of peace education. This gives new importance and new opportunities for our own *department of women's organizations*, which, under the able and earnest management of Mrs. Duryea, has during the present year greatly increased its activity and its usefulness. Mrs. Duryea's report of her year's work will be separately submitted. Through the additions made by the late national election, in nine of our states women now have full suffrage; and this new political status gives new importance and urgency to work in this great field.

No other influence in behalf of our cause among the women's organizations of the country has during the year been more inspiring than that of the Baroness von Suttner, who came here from Austria in June and will return next month after a six months' campaign,

in which she has delivered nearly 150 addresses throughout the country from Boston to San Francisco. Her first address indeed was at the great convention of the National Federation of Women's Clubs at San Francisco, immediately after which she spoke at the convention of the National Education Association at Chicago. In the preceding two years we had had visits from Baron d'Estournelles de Constant and Count Apponyi, both of whom rendered our cause most significant service; but the longer campaign of the Baroness von Suttner has perhaps been even more fruitful. She came upon the invitation of an earnest group of women in the Chicago Woman's Club, who worked indefatigably for the success of her campaign during its whole period. They asked our coöperation at the start, and it was warmly given. The Foundation met the expenses of the Baroness and her companion from Austria to New York (\$500), and has contributed otherwise to her campaign. The American Association for International Conciliation contributed \$1,000. The Baroness's New England engagements were entirely arranged at our Boston headquarters; and throughout her stay we have coöperated in every way in our power to ensure for her work the fullest measure of success.

The work of Miss Anna B. Eckstein in the circulation of her World Petition in behalf of International Arbitration, which petition is to be presented to the Third Hague Conference, has been carried on untiringly throughout the year with the same zeal which Miss Eckstein had shown in the previous two years. She has spent the whole year in Europe, and has added millions of signatures to her great petition. This work, which is sustained by the Foundation, was earnestly supported by Mr. Ginn, and is carried on by the Foundation in fulfilment of his engagement with Miss Eckstein, because he felt that, aside from whatever direct influence the petition might have with the coming Hague Conference in the advancement of its immediate end, the agitation for it would have a pervasive indirect influence as a means of popular education, accompanied as it has been by innumerable enthusiastic meetings, and focusing the minds of the millions of signers, for the moment at least, upon the peace and arbitration effort, in so many cases also prompting them to definite reading and study concerning the cause. Miss Eckstein's report of her year's work will be submitted to the Trustees.

The work of Dr. Jordan, Dr. Macdonald, and Mr. Nasmyth during the year is so fully covered by their special reports presented herewith that it is hardly necessary to add anything to what they say.

Dr. Jordan has probably given a hundred important addresses during the year, before bodies of every character. His work through



the press has been constant and often of peculiar timeliness and value; and the results of his summer investigations in the South are sure to furnish a significant additional chapter to his impressive work upon "The Blood of the Nation." The Foundation is fortunate that it seems possible for him to devote the entire last half of the coming year to work in Europe and Asia, whence many invitations have come for him to speak. I wish to express particularly my sense of the value of the Syllabus of Lectures on International Conciliation, given at Stanford University by President Jordan and Professor Krehbiel, which Syllabus has just been issued in a volume of 180 pages by our Foundation. Nothing of the sort so thorough or so useful as this Syllabus has ever before been prepared. It covers with remarkable grasp and suggestiveness every aspect of our movement; and the Foundation will endeavor to secure its introduction into every university in the country as well as into other countries. Happily attention to our cause in the higher institutions of learning is spreading and deepening as never before; and this timely outline of study will meet the needs not only of university professors, but of lecturers and teachers everywhere.

Dr. Macdonald is one of the most stirring speakers upon the American platform. His address at Carnegie Hall in New York upon "William T. Stead and his Peace Message," given on the Sunday evening following the sinking of the *Titanic*, on which Mr. Stead was coming to New York to speak at this very meeting upon the world's peace, which address has been published in our pamphlet series and sent to the Trustees, is an illustration of the eloquence, pregnancy and force with which he is speaking before great assemblies all over the United States and Canada throughout the year. His position as editor of the *Toronto Globe*, the leading paper in Canada and preëminent in the service of international progress, gives him peculiarly auspicious ground for influence with the press; and he is no less influential with the religious world, being more constantly in demand for the great conventions of the churches than almost any other man among us. Important as Dr. Macdonald's journalistic services are, it is undoubtedly on the platform that he most helps our cause; and it is to his platform services that his accompanying report chiefly relates.

With respect to the regular presentation of our cause through the press of America and Europe, we count ourselves singularly fortunate in being able to expect to have with us from next summer on Mr. Norman Angell Lane, whose newspaper work in London and Paris in recent years has been no less valuable for our cause than the service

rendered by his noteworthy book, "The Great Illusion." Mr. Lane lived for many years in the United States, being here at the time that he prepared his first important book, "Patriotism under Three Flags"; and it is hoped that his experimental year with us will result in a permanent engagement.

Mr. Myers's service in our *publicity department* during the last year, which is summarized in the brief report which he submits, has been marked by the same intelligence, devotion, talent for research, and indefatigable industry which I have before had occasion to praise. The pamphlets in our series prepared by him, as well as the various bulletins of information which from time to time we are sending out, attest the quality of his work.

The extent of our publicity work altogether during the year is indicated by the fact that, besides circulating 200,000 copies of our various pamphlets, we have circulated also 200,000 copies of various broadsides and leaflets, many of them of course in editorial offices. Our publicity work is directed not only to the United States and Europe, but ever increasingly to South America, Australia and New Zealand, China and Japan.

Mr. Arthur W. Allen, the treasurer of the Foundation and the faithful manager of its business affairs, supplements his business services by constant contributions to the statistical information required by the Foundation; and no exhibit of the cost of war and the preparations for war has ever been made in brief more striking or more useful than that in Mr. Allen's pamphlet upon "The Drain of Armaments." I wish here to pay tribute to the young women associated with the work of the bureau, Miss Fraser, Miss MacDonald, and Miss Cord, whose interest in the cause and faithfulness in their duties contribute so largely to the efficiency of the work.

In my pamphlet upon "The Present Activities of the World Peace Foundation," issued soon after our last annual meeting, I outlined the remarkably hopeful and inspiring services of Mr. George W. Nasmyth in the German universities. His survey of his present year's work, which is submitted herewith, shows what he has accomplished during the year. It is a noteworthy work, and in a field which seems to me more fruitful and promising than almost any other. The International Students' Clubs, which Mr. Nasmyth organized last year in Berlin and Leipsic, have been reinforced this year by similar clubs in Munich and Göttingen, with others already in sight at Heidelberg, Marburg and Bonn; and the work in the British universities and in southeastern Europe is outlined in Mr. Nasmyth's report. The relations which he has succeeded in establishing with

student bodies in the Balkan States will prove especially valuable with regard to the closer general relations which it is incumbent upon international workers to establish with those nations as they now enter upon a period of such vastly greater influence. I have urged the directors of the important annual conferences at Clark University upon inter-racial fraternity—with which conferences the Foundation has earnestly coöperated, recognizing them as an integral and cardinal factor in the work for international good understanding and peace—to devote their conference next autumn to the peoples of the Balkan States. The revolutionary movements in the Balkans and in China during the present year enforce anew the peculiar importance of attention on our part to the student world, and emphasize especially the exceptional opportunity and power of this country for international progress. The young statesmen who first organized self-government in Bulgaria just a generation ago were educated at Robert College in Constantinople, like so many others of the young men who are to-day shaping public opinion and policy in the Balkan States. The revolution in China has been a revolution wrought mainly by scholars, largely by young Chinese scholars who have studied in American colleges and universities; and Dr. Sun Yat Sen, their leader, has publicly declared his ambition and purpose to be the establishment in China of a federal republic like the republic of the United States. One of the most flourishing Cosmopolitan Clubs organized by Mr. Nasymth during his campaign last spring in the Near East was at Robert College, which is indeed itself a Cosmopolitan Club; and the influence which will radiate from these multiplying clubs is incalculable. One of Mr. Nasmyth's young Berlin associates, Dr. Hans Vogel, a student in the university and an officer in the Berlin International Club, is about to visit all the universities in Spain and Portugal to prompt the establishment there of Cosmopolitan Clubs and secure delegations for the International Students' Congress at Cornell University in September. The Cosmopolitan Club movement in the United States itself has, during the year, grown steadily in strength. We had hoped that the general secretary, Mr. Louis P. Lochner, of the University of Wisconsin, would this year enter regularly the service of the Foundation for the student work, to which during the past two years, through provision by the Foundation, he had devoted half of his time. His duties at the university have made this for the present impossible; but in connection with those duties he still acts as secretary of the American Association of Cosmopolitan Clubs and editor of its magazine; and he is secretary this year of the International Association, as Mr.

Nasmyth is its president, it being a provision of the international organization that its executive officers for the year shall belong to the country where that year's Congress is to meet.\* There are not in the whole student world two other young scholars who, to my thinking, are accomplishing so much for the cause of international peace and progress as Mr. Nasmyth and Mr. Lochner; and I trust that ultimately we may be able to secure their devotion exclusively to the work of the World Peace Foundation. I have no right to ask our Trustees to read too much; but if any of them should desire to see, in addition to Mr. Nasmyth's general survey of his service during the year, herewith submitted, his inspiring letters dealing particularly with his work in Germany, England and the Near East, copies of either or all of these special reports will be gladly furnished.

The chief need of the Foundation at the present moment is a strong man to take charge of the details of our general work in the colleges and universities, the proper organization of which, peculiarly imperative and peculiarly incumbent upon us, we have too long neglected; and I think that this need may in the near future be satisfactorily met.

Dr. Jordan, Dr. Macdonald and myself are the only regularly paid Directors of the Foundation. Mr. Holt serves as one of our paid lecturers, having during the year given ten lectures for us in colleges and universities. This, however, is but a slight part of his invaluable service for our cause. No speaker in the peace movement is in more constant demand, and he has given scores of addresses during the year, under various auspices; while the *Independent*, which has now come entirely into his hands, has long been the best weekly organ of our cause in the country. Dr. Brown, in his position as dean of the Yale Divinity School, is a most influential force in our American religious education, reaching hundreds of young men all over the country preparing for the ministry; and it is unnecessary to say that no man in our pulpit—and he is preaching every Sunday in New York or elsewhere—keeps our commanding cause more forcibly or more constantly at the front. Dr. Scott's regular activity is, of course, through the great Carnegie Peace Endowment, of which he is the secretary; but he keeps in close and helpful touch with the Foundation, and at this moment he is preparing for publication by us an English translation of the chapter from Prof. Otto Seeck's impressive history

\*If any of our Trustees or any influential friends of our cause could secure a contribution of \$5,000 to place in our hands to promote the larger success of this coming International Students' Congress, thus facilitating the coming of representatives of various student bodies in European and other countries, who could not otherwise be present, it would do more for our interest than almost any other equal expenditure.

of "The Downfall of the Ancient World," to which Dr. Jordan makes such a strong appeal for confirmation of the central thesis of his "Blood of the Nation." Mr. Mott is untiringly devoted to his great work of inspiring the Young Men's Christian Associations of the world to constructive international service, working at this moment in Europe. The World's Student Christian Federation, of which he is the leading spirit, holds its next year's convention at Mohonk.

The various peace conventions of 1913 will altogether be of exceptional importance, and I bespeak for them your earnest interest. The International Peace Congress will meet at The Hague, which will be throughout the summer the central point of interest for our cause by reason of the dedication of the completed Temple of Peace. It is to be hoped that our American delegation at the International Congress may be large and representative. In no other country in the world has the organized peace movement made such strides in the last five years as in our own; yet our representation in the annual International Peace Congresses has been in no way commensurate with our activities, our importance, our responsibilities, or the expectations of our European associates. If any of our Trustees, or any friends of the peace cause in their respective circles, are to be in Europe the coming summer, we should be glad at the headquarters of the Foundation to confer with them with reference to the possibility of their attendance at the International Peace Congress at The Hague.

We must none of us forget that the Third Hague Conference itself is approaching, will undoubtedly be called for the summer of 1915. In that case the committee for the preparation of the program will be created by the various governments next year; and it is the strong effort of the friends of our cause here to create vital interest and a right public opinion which will alone ensure for the United States the position of influential leadership in the Conference and in the preparations for it which it is her duty to take.

My own duties during the year have been chiefly those of the general administration and editorship; but I have written constantly for the press in behalf of our cause and given more than fifty addresses before conventions, schools, colleges, churches and gatherings of every character.

Our work for the public schools has been carried on this year as heretofore through the American School Peace League, to which this year we have contributed \$2,500. The League raises about three times that amount otherwise, but our coöperation secures the League's affiliation with us and the best instrumentality at present available for our influence in the schools, which furnish a field second surely to no

other in importance. The work of the League has been broadly extended during the year, now reaching not only thirty-seven states in the Union, with branches well organized by the leading educators in those states, but awakening much interest in Europe, where Mrs. Fannie Fern Andrews, the efficient secretary, has spent the entire autumn. The British School Peace League is already doing admirable work, under the presidency of the Bishop of Hereford; and an International Council is now being created as a bond of union for the whole work, with such influential European leaders as Baron d'Estournelles, Count Apponyi and the Baroness von Suttner active in its interest. Copies of the last annual report of the School Peace League will be sent to all of the Trustees, as illustrating the public school work in which we are coöperating. It is not wise to create new machinery for any great department of the general work where there is good existing machinery which can be utilized and strengthened. A primary need in the whole peace work is that of economy and the prevention of duplication and waste; and to this end the various agencies should keep in close touch with each other, recognize clearly the fields which each can best occupy, and always cordially coöperate. Both Dr. James H. Van Sickle, the president of the League, and Mrs. Andrews, the secretary, are members of our Advisory Council. The secretary of the League is in constant touch with the Foundation's central bureau; and we supplement the League's efforts through the circulation of thousands of our pamphlets at its conventions and other meetings, and by mail among teachers and school superintendents. Dr. Claxton, our present national Commissioner of Education, is an indefatigable worker for the League, and has coöperated in the circulation of thousands of documents in its interest. Dr. Jordan, who is the president of the California branch of the League, presented its special claims, as well as the general claims of peace education, at the conventions of the National Education Association at Chicago and of the American Institute of Instruction at North Conway, in July; and the writer did the same at the conventions of the New Hampshire State Teachers' Association at Manchester and of the Rhode Island State Teachers' Association at Providence, this autumn.

With the American Peace Society, the Mohonk Conference, and the other peace agencies of the country the Foundation also constantly and heartily coöperates, several of its Directors and Trustees being officially identified with several of them. Mr. Ginn, Dr. Jordan, Dr. Brown, Dr. Scott and the writer are all vice-presidents of the American Peace Society, and Mr. McCall, Mr. Capen, and Professor Dutton

are among its directors. Mr. Capen is president of the Massachusetts Peace Society, and the writer is one of its directors; and, with offices immediately adjoining, the Society and our own Foundation are able to coöperate in very much here in Boston and New England to great mutual advantage. I gave addresses at the public meetings at both Manchester and Portland by which the new New Hampshire and Maine Peace Societies were inaugurated in February. In the new quarters which the Foundation is at the moment seeking, in the necessity of vacating its present rooms by reason of the growing needs of Messrs. Ginn & Company, I hope that accommodations may also be found for the Massachusetts Peace Society and the American School Peace League, thus bringing the various Boston agencies together in one Peace Building. To all the Peace Societies in the country, and to many in other countries, we are regularly sending our books and pamphlets, glad, in making our material available to them, and in knowing how largely they do avail themselves of it, to believe that we are serving the interests of our sister organizations at the same time that we are serving the interests of our own Foundation and our common cause.

EDWIN D. MEAD.

NOVEMBER 20, 1912.

NOTE.—The pamphlet upon "The Present Activities of the World Peace Foundation," issued early in 1912, briefly reviews the steps leading to the establishment of the Foundation, and more fully the work of 1911; and this pamphlet will be sent to any person applying for it. Complete lists of the publications of the Foundation are given in the pages at the end of the present report.

## REPORT OF DR. DAVID STARR JORDAN

On returning from Japan in October, I spent the months of November and December in the field, giving lectures on "The Fight against War" and similar topics at Milwaukee (2), Racine, Rockford (2), Grand Rapids, Woodstock (Vt.), Worcester, Boston, Hingham, Salem, Buffalo (3), Yale University, Smith College, Montclair (N.J.), Swarthmore College, Washington, Atlantic City, Manhattan (Kansas), and Denver (2). The sum of \$500 was received from Mr. Frank A. Miller, of Riverside, to aid in this campaign, and \$25 from Dr. Webster Butterfield, of Pasadena.

Later, after my return to the University, lectures were given at Palo Alto, Berkeley, San Francisco, Watsonville, Oakland, San José, Fresno, Alameda, Los Angeles, and Pasadena. In the second semester 1911-12 a second course of forty lectures was given by Prof. Edward B. Krehbiel and myself on International Conciliation to about eighty of the advanced students of Stanford University. The Syllabus of this course of lectures has been published by the World Peace Foundation, as a basis for similar courses of lectures elsewhere.

In the winter of 1912 I wrote a book on the finances of war, published in June by the American Unitarian Association under the title of "The Unseen Empire." Several magazine articles and letters to newspapers were also printed, the most important being "Concerning Sea Power" in the *Independent*, "Foreclosing the Mortgage on War," "The Perennial Bogey of War," and "The Rising Cost of Living," in the *World's Work*, and the "Relations of Japan and the United States" in the *Popular Science Monthly*.

In the summer vacation of 1912 I undertook, with the assistance of Dr. Edward B. Krehbiel, Dr. Harvey E. Jordan of the University of Virginia, and Mr. Laurence L. Hill, an investigation of the effects of the Civil War on the people of the South fifty years after.

This investigation is a very difficult one, especially on the most important side, the biological. It also very much needs doing, and a few years hence it will be too late. Intensive studies, covering almost the entire population, were made of Cobb County in Georgia, on the line of Sherman's march, and of Rockbridge, a typical county of Virginia. Studies less complete were made in Spottsylvania, Dinwiddie and Henrico Counties in Virginia, Wake County in North Carolina, Knox County in Tennessee, and Clark County in Kentucky.



It is evident that in the South the reversed selection, the destruction of the strong by war, cutting off a large part of the best from parent-hood, has been a large factor in retarding the progress of the generations after the war. While nothing sensational is developed and while no numerical estimates of general application are possible, the costliness of "human sacrifices" in political matters is greatly emphasized by these studies, the results of which will be duly published.

In the summer vacation, besides this work in the South, Professor Krehbiel gave a course of lectures on International Conciliation at Columbia University.

Lectures on subjects relating to Peace and War were given by me at:—

Monterey.	Erie.	San José.
St. Helena.	Chicago, 3.	San Francisco.
Portland, Ore., 2.	Culver, Ind.	Topeka.
Seattle.	Raleigh.	Lawrence.
Prescott, Ariz., 2.	Knoxville, 2.	Kansas City.
Indianapolis.	St. Paul.	Albuquerque.
Louisville, Ky., 2.	Minneapolis.	Quincy, Cal.
North Conway, N.H., 2.	Salt Lake City, 3.	Buena Vista, Va.
Chautauqua.	Pacific Grove, 2.	
Jamestown, N.Y.	Sacramento.	

For the current year I shall remain at the University with only brief absences. I am planning, however, to give the summer of 1913 and the first half of the coming academic year entirely to this work. I have been asked to give lectures in Scotland and in England, and especially to visit Persia, in the interest of the future welfare of that country. I believe that I can spend the time from July, 1913, to February, 1914, to better advantage in Europe and Asia than at home. The effectiveness of our propaganda is greatly increased by first-hand knowledge of foreign conditions.

NOVEMBER 1, 1912.

## REPORT OF DR. JAMES A. MACDONALD

The past year has been for me in the work of the World Peace Foundation a time of exceptional opportunity and activity. The results, I feel confident, justify, and in the future will justify still more largely, both the time and the effort.

My efforts have been devoted mainly to awakening, organizing and

directing public opinion in Canada and in the United States on the peace problem. I have deemed it best to take an independent course and to work not as a professional peace society agent, but as a publicist.

Apart from the constant opportunities offered through the *Toronto Globe*, I have been in close relations with the leading journalists and press associations, and took advantage of every occasion to stimulate interest in the international problem. Notwithstanding the reaction in political bitterness through the reciprocity campaign and the determination that Canada shall take over from Britain the maintenance of naval defense on the North Atlantic and the North Pacific, there is growing up in the press of Canada an intelligent and positive opinion against the military spirit and against the burdening of industry by the impositions of the war syndicates. In this regard, however, a good deal remains to be done, as the subject is new and tradition is against reform.

The most useful instruments, I find, are the churches, the great educational institutions, the conventions of industrial, commercial, financial, social, and religious organizations, and other gatherings of strong and representative people. Invitations to address these important gatherings are many times more numerous than can be accepted. During the past year I have had opportunities to address the very largest and most influential national and international conventions held either in Canada or in the United States. Except during July and August, I made from three to five addresses every week, but on an average I had to decline two hundred invitations per month. Between October 1 and May 1 I declined 1,356 invitations from outside of Toronto.

The range and character of these activities may be judged from my program for the past ten days. On Friday night I addressed the Canadian Club of St. Thomas, Ontario, with its membership composed, as such clubs always are, of the most important men in the life of the city. Saturday night was given to the annual banquet of the Canadian Society of Chicago, and Sunday afternoon to a mass meeting of Chicago Baptist laymen. On Monday night I addressed 700 Detroit laymen at their annual dinner of the Laymen's Missionary Movement. Tuesday I spent at the University of Michigan. On Wednesday night and at noon on Thursday I addressed the Fifth National Convention of the Brotherhood of the United Presbyterian Church at their great meetings, 1,500 strong, in Pittsburg, and on Thursday night spoke for an hour at a banquet of the Canadian Society of Pittsburg. On Saturday night I addressed the Alma Mater

Society of Queen's University, Kingston, Ontario, and again on Sunday afternoon spoke to more than a thousand students and professors, and on Sunday night to a crowded congregation in the largest church in the city. On Monday noon I was the speaker at the Canadian Club of Montreal, and in the afternoon addressed the students of McGill University. On each one of these occasions the problem of war and peace was the essence of my theme, and in one way and another I pressed it home on the particular organization under whose auspices the meeting was held.

My discussions of these themes have been organized around such lecture subjects as "Some International Fundamentals," "Canada's Place among the Nations," "Shall it be War or Peace?" "The World Too Small for War," "University Men and the World Problem," "The Responsibility of the Church for Good Will among the Nations," "For the Brotherhood of the World," "War and the Human Breed," "The Christmas Evangel and the Christian Church," "The Fraternity of the Nations," "Anglo-American Fraternity."

During the year I addressed many Y. M. C. A. conventions as far separated as Roanoke, Va., and Winnipeg, Man. In connection with the Conservation Congress of the Men and Religion Forward Movement in New York in April, I spoke with Hon. W. J. Bryan on "Christianity and Governments"—that address has been widely published—and on "William T. Stead and his Peace Message." I also addressed five hundred clergymen in New York and the Baptist Social Union of Brooklyn. In May I attended the International Convention of the Advertising Clubs of America in Dallas, Tex., and gave a dozen addresses, all touching international problems. I also gave the Fourth of July address at Northfield on "The Anglo-American Fraternity." On both sides of the line I have addressed banquets of Boards of Trade and of Chambers of Commerce.

The prospects for the coming year are even more inviting. My time, as much of it as can possibly be spared from office work, is mortgaged in advance for significant occasions at strategic points. More and more the subject possesses me, and for its sake other things are sacrificed. A hard fight is on, but time and right and the currents of life are on the side of those who fight for peace.

## REPORT OF MR. GEORGE W. NASMYTH

Since my return to Europe at the beginning of the year, I have concentrated a large part of my energy upon the organization of the international movement among the students of the German universities. In this I have been impelled by the same reasons which first led me to begin the work in Berlin. I believe Germany to be the strategic position of the peace problem of Europe, and I believe that the critical hour of the peace movement in Germany is at hand. Many indications point to the coming transfer of the power of government from the ultra-conservatives, who have been in control since 1878, into the hands of the liberal and progressive forces. Within the last two years the currents of international thought, as shown by the increase of international organizations and institutions in Germany, have made remarkable progress. If the force of these currents can be brought to bear upon the students in the German universities, if they can be taught to understand the ideals and the problems of other nations, to study international progress and to look upon the nations of the world as coöperating units of a larger whole instead of natural enemies or destructive competitors, the result of their later participation in public life will be of deep significance for the future of the world's peace movement.

Briefly summarized, the results of the work in Germany this year have been the strengthening of the international clubs which had been already established at Berlin and Leipsic universities, the founding of two new clubs at Munich and Göttingen, and the formation of an association of the international clubs of the German universities, the "Verband der Internationalen Studenten-Vereine an Deutschen Hochschulen," which held its first annual congress in Göttingen at the end of last July. This union of the international student forces of Germany was of special significance, not only on account of the strengthening of the existing movement which it produced, but also on account of the extensive plans for propaganda to which it gave rise and which are now being executed. The first number of the international student publication which was planned at this congress has been printed in an edition of 10,000 copies and distributed among the students of the German universities. Two new international clubs are in process of formation at the important university centers of Bonn and Heidelberg, and the definite plans for the future extension of the movement include not only the other universities of Germany, but also those of Switzerland and Austria.

I wish here to express the thanks due to Professor Muensterberg, of the Harvard Cosmopolitan Club, to whom belongs a large part of the credit for the remarkable growth of the international student movement in Germany which this publication of the "Verband" reveals. He was at Berlin as exchange professor at the time of the formation of the first club, in February, 1911, and was of the greatest service both there and at Leipsic.

One of the most encouraging aspects of the movement is the number of international student workers—organizers, editors, writers, and effective speakers—which it has already trained up or called into the service of the ideal of international understanding, friendship, and progress.

Although the active membership of the four international clubs does not exceed 500, their influence extends to a far wider and a rapidly growing circle. The international club at Göttingen, for example, which is the smallest of the four universities, has an active membership of only 95, but the average attendance at the six public meetings which were held last term was between 150 and 200. At the meeting of the Munich Club at which Professor Brentano discussed "The International Character of Modern Political Economy" the attendance was between 600 and 700, and the lecture by Professor Quidde in the same club on "The International Organization of Political Life" was also largely attended. Through their literature, which is distributed as widely as their financial resources will permit, as well as through the largely attended lectures which they arrange, the international clubs stimulate a discussion of international movements and an interest in the civilization and problems of foreign countries and in international subjects among a large proportion of the German students.

All four of the international clubs have made excellent beginnings this fall, and have outlined extensive programs for the work of the year. The next congress of the movement will be held at Leipsic, May 8-10, 1913, and by that time, from present indications, the number of international clubs, which increased from two to four last year, will again have doubled, Bonn, Heidelberg, Zurich and possibly Marburg sending their delegates to join forces with the international student workers of Göttingen, Munich, Leipsic, and Berlin.

During the vacation of the German universities I have devoted all the time which I could spare from my work in Germany to the organization or strengthening of the international movement among the students of other lands. With this object I have made at various times during the past ten months three visits to England, one to

France, two to Holland, a long tour to the universities of south-eastern Europe,—Austria, Hungary, Roumania, Constantinople, Greece, and Italy,—and a trip to America to assist Mr. Lochner and the Cornell committee in the preparations for the approaching International Congress of Students.

In England I have addressed student meetings at Oxford, Cambridge, and London on the international student movement, and have visited other universities to confer with the officers of various student organizations concerning plans for international activities. At Oxford I assisted in the reorganization of the Cosmopolitan Club, and at Cambridge I addressed the East and West Society. I came into especially close contact with the British student movement which has been started by Norman Angell in the form of a War and Peace Society at Cambridge and an International Polity Club at Glasgow for the study of international questions along the lines of the thesis of "The Great Illusion." It is probable that these organizations will spread to all the British universities within a few years, as Mr. Angell is devoting special attention to the student field. He is very much interested in the German universities also, and at an interview which I had with him in London tentative plans were worked out for coöperation between the international student movements in England and Germany which give promise of fruitful practical results.

At the close of an address which I made at Robert College in Constantinople last April a Cosmopolitan Club of forty members from ten nationalities was formed. This club showed a remarkable activity during the remainder of the year, and was in the direction of other strong movements making for a coöperation of all the progressive forces of the Turkish Empire, in spite of racial and religious differences, in the cause of unity, civilization and humanity. Plans had already been made to spread the movement to Beirut and other educational centers, and I hope to keep in touch with the development of this movement after peace is restored upon what, I hope, will be a permanent basis in the Near East. In this connection it is interesting to note that the Italian students have already begun, sincerely and earnestly, the reconstruction of their peace movement upon a more secure and lasting foundation.

My chief work in the other countries I have mentioned has been to interest leading students in international organization, to build up the organization of the International Federation of Students, or "Corda Fratres" movement, which is now the most important international student organization in the world, with the exception of the World's Student Christian Federation, and to secure delegates for the

International Congress of Students next year. The International Federation of Students includes student organizations in twelve countries of Europe and America, North and South, and is apparently entering upon a period of rapid expansion in its history. Negotiations are in progress with student organizations in the South American countries not yet in the movement, in Roumania and Bulgaria, and with the recently formed World's Chinese Student Federation, which has its headquarters at Shanghai. At the coming International Student Congress which the "Corda Fratres" movement is arranging for the end of next August at Ithaca, N.Y., it is planned to enlarge this movement to what will be in effect a confederation of all student organizations in the world for the purpose of coöperation in encouraging mutual understanding and international friendship, by means of international congresses, exchanges of visits, correspondence, and the establishment of an international student magazine.

It is a noteworthy indication of the growth of the international spirit in the universities that three international student congresses will be held next summer. The World's Student Christian Federation will hold its tenth biennial International Conference at Lake Mohonk, June 2-8. The International Federation of Students, or "Corda Fratres," as it is known from its device, "Corda sunt Fratres," will hold its eighth biennial International Congress at Ithaca, with visits, receptions, etc., at Boston, New York, Philadelphia, and Washington. Finally, the Dutch students are arranging an International Reunion of Students, probably about the 1st of September, 1913, in connection with the International Peace Congress at The Hague, to celebrate the opening of the Temple of Peace.

HEIDELBERG, November 15, 1912.

## REPORT OF MR. DENYS P. MYERS

In submitting my annual report, I would say that my researches and my publicity work have been mainly directed to gathering and imparting information touching the economic evils of war and the development of the legal solution of international problems. The peace worker to-day must base his efforts upon complete and accurate information and a proper appreciation of both facts and results.

The policy of bringing together the necessary books connected with the movement, with the purpose of establishing at the Foundation's

headquarters a valuable reference library, has continued, with special attention paid to the preservation of fleeting material. Books or pamphlets to the number of some 250 have been purchased or made up by binding. A proportion of these has been secured for definite uses at particular times, but the bulk of them has been bought because they were such books as were of permanent value in our work. A conservative policy has been followed in this regard, and purchases have not been made as a rule unless the book was an evident necessity or such a one as could not be secured in the Boston libraries.

Periodicals relating to the movement itself have been received during the year, and will be preserved in permanent form. By purchase from the American Peace Society we have secured 220 back numbers of the *Advocate of Peace*, completing the set for about ten years, with many volumes partially complete. We are also fortunate enough to possess a practically complete set of the early *Friend of Peace*. Our own publications have been collected and bound in annual record copies for office use, and a title-page permitting the binding of them by libraries and others has proved very popular. Effort has been made to complete sets of the peace publications of other organizations, and a number of volumes of these has been made, including publications of the American Peace Society, the American School Peace League, National Peace Council, The Hague Court, American Association for International Conciliation, and Conciliation International, Lake Mohonk reports, the Berne Bureau publications, and sets of all the peace publications issued within the past year.

A representative list of newspapers, eight in number, has been read daily, and material relative to our work taken therefrom for filing. Last year about 25,000 clippings were filed: this year probably 20,000 have been filed. The bulk of these is necessarily large, because their value consists in the completeness of the set on a given subject, and, while a single clipping may be of very small value in itself, it is frequently of great value when used with others on the same subject. The *Congressional Record* is being received, and our files contain the portions of it relating to such questions as the arbitration treaties of 1911, the Panama Canal, the Army and Navy Appropriation Bills, and minor questions relating to our work. This material piles up very rapidly, and a policy is followed of indexing and binding the excerpts on a particular subject, when the subject itself is among those in which we are permanently interested.

It is along these general lines that information for the use of the office has been collected, and the success of the efforts made has been very gratifying, in that office inquiries both from our own staff



and from outside inquirers have invariably been answered expeditiously.

Aside from the considerable amount of work done in connection with the International Congress of Chambers of Commerce and numerous articles and letters to various papers during the year, my public work has consisted of issuing accurate information of general interest or in reply to definite inquiries. Letters asking for definite facts or general assistance have averaged two or three a week during the year. Some of these have been notable in character, and a number of such letters have come from military and naval men who desired to be accurately informed on technical points. It has been our policy to provide the public with accurate information, and the present revised list of arbitration treaties and the bulletins tabulating The Hague cases, analyzing the convention ratifications and tabulating the same, illustrate this type of work. These have been distributed to professors of political science for use in their classes, and their appreciation of this phase of the Foundation work is very gratifying. They are also being sent to those newspapers with reference departments, so that it is hoped that our work along these lines will be successful in increasing the accuracy of all of those having to do with such matters.

During the year I have acted as the American agent of the Office Central, and I am preparing an article advocating the centralization of official international organs for its publication, *La Vie Internationale*. During the year an extensive study of the extinction of treaties has been made, the publication of which is being arranged. It is hoped that the conclusions of this study, which is based on historical facts and a study of technical conditions, will enable negotiators to appreciate the value of including in treaties definite articles relative to their periodicity.

In Morocco since 1906 there was in operation an internationalized control centered in the diplomatic corps of Tangier. This international régime was the result of Germany's intervention and the Algeciras Conference of 1906. Its failure by reason of Germany's own action in the Agadir incident constitutes one of the strikingly notable developments in international politics, with many lessons for the pacifist. I have made a study of the Moroccan question in this period, and am negotiating its publication as a book. This sort of work is both slow and laborious, but such of it as has practical application to the peace problem is certainly well worth doing.

## REPORT OF MRS. ANNA S. DURYEA

My work this year has consisted as usual in sending out literature, corresponding with those interested and those not interested, in talking with individuals and lecturing to women's organizations, churches, high schools, normal schools, colleges, and college and university clubs. All the work except the lecturing has continued through the entire year. While popular lecturers, like Professor Zueblin, tell me they cannot extend their lecture season beyond the 1st of April, I carried mine up to the middle of June and did some lecturing during the summer. I spoke from the 1st of October till June 15 on an average every other day, but my dates were often crowded in at the rate of one or sometimes two a day for certain periods.

The organizations which call upon my services are as above mentioned, and I have reached this year many which were inaccessible last year, the Colonial Dames and Women Lawyers, and am on the way, with the help of Bishop Greer, to the women of the Episcopal Church.

My actual lecture work has been confined to New England and the eastern part of the Middle States. I have been obliged to refuse many Western engagements. I addressed the Vermont State Federation at Montpelier, and while there received an invitation from officers of the Vermont Peace Society to address them this winter while the legislature was in session. I have been as far south as Philadelphia in my work. I took a trip of some days into Maine, as far north as Bangor, addressing women's clubs and college clubs. Interest in our cause is growing, as shown by the fact that clubs which two years ago felt that they had done it justice by having one lecture in several years now realize it to be a subject of study and are to put it on their platforms at least once a year, which interest will of course be helped by the recent action of the National Federation of Women's Clubs. I am in close touch with the chairman of the Peace and Arbitration Committee of the National Federation, which now numbers over a million women. I am frequently asked to return and speak this year to clubs addressed last year, and especially on the "gentlemen's night." I always take literature with me when I speak, and often have to send more after my return. I never send it indiscriminately, but to special persons, in connection with letters and conversations, and accomplish much in this way in creating an intelligent interest in our subject. In ten days last winter our girls sent out, under my direction, forty-one thousand pieces of literature.

Because the Foundation has felt its interests to be centered more particularly in the educational field, I have devoted especial attention this year to high schools, normal schools, colleges, college clubs, and teachers' organizations, though this is a wide extension of my province. I could devote all my time profitably to this work. A high school of two thousand pupils, where I spoke four times last year, taking the pupils in sections of five hundred, has asked me for additional lectures this year. I have just sent out to schools about six hundred lecture announcements, accompanied by letters of commendation from Dr. Snedden, of the Massachusetts Board of Education, and Dr. Claxton, the United States Commissioner, and my mail is immediately crowded with answers. I have now engagements to speak to the women's colleges at Brown University and Columbia University, and have been invited to speak at Wells College in New York.

I have sent to the large Catholic schools and colleges a letter and my lecture announcements, accompanied by the slips giving the Pope's letter and Cardinal Gibbons's address on the arbitration treaties, and have just received my first invitation to speak at a Catholic college. Dr. Dyer, our new Boston Superintendent of Schools, promises me his written endorsement for my work. This is valuable, as all teachers are not yet alive to the commanding interest of our subject. A principal in Philadelphia recently refused our services because she considered the subject inappropriate for school-girls,—I am inaugurating a campaign of education with her. I meet much of this ignorance, though I have many letters of appreciation and gratitude from the most intelligent principals and teachers. There is an unlimited field among schools and colleges and teachers' organizations, and all efforts in this direction yield most satisfactory results.

I have given over a hundred lectures the expenses of which ranged from nothing to \$50; and these expenses, met by the societies, amounting to perhaps \$700, were their contribution to the cause. I have just returned from lectures in Wallingford and New Haven, Conn. (where I spoke in the house of the Lieutenant Governor), when I received enough to pay all expenses and the expense besides of a trip to New York for the cause, besides putting \$15 into the treasury, to which I have turned in during the year something over \$200 in fees. I have paid all expenses of a week in New York, several days in Maine, and a trip to Philadelphia, so that the financial contribution of the department to the work this year has fallen little short of \$1,000. I mention this to show that, while so much of the work is missionary work and must be free, the clubs are already waking to its importance and beginning to coöperate financially.

I hear repeatedly on all sides expressions of warm appreciation of the work the Foundation is doing. The encouraging expressions which people are generous enough to give me for my own work are very gratifying, and bring me great satisfaction in the work which I am permitted to do.

NOVEMBER 20, 1912.

## REPORT OF MISS ANNA B. ECKSTEIN

The work for the World Petition has been continued by me, as in previous years, along three lines: (1) by lectures in public meetings, before societies, colleges, etc., at all of which petition forms were distributed to co-workers, signed, and collected; (2) by personal interviews with men of science, members of parliaments, teachers, editors, business men, leaders of social and religious organizations, etc.; (3) by letters of information in response to requests from individuals and organizations of different countries, and by writing articles for publication. Some of these were published in *The Christian Commonwealth*, London, *The Woman Teachers' World*, London, and *Friedens-Warte*.

While in 1910 my work was chiefly concentrated upon Germany, and in 1911 upon Great Britain and Ireland, most of my efforts in 1912 were devoted to France, although the work was carried on in other countries as well. In November, 1911, I gave addresses in the south of Germany, one at the large public meeting at Heilbronn in connection with the annual meeting of the peace societies of Würtemberg. An invitation to speak at a public meeting in London organized by the Women's Committee in Support of the International Arbitration Treaties, and presided over by Lady Courtney, and other engagements took me to London in December, 1911. (Among other accounts see that in the *Westminster Gazette*, December 22, 1911.)

In January and part of February I lectured in Germany, Holland and Belgium. The principal cities were Königsberg, the city of Immanuel Kant, Nuremberg, Amsterdam, The Hague, Rotterdam, Antwerp, and Brussels. In some places several public meetings were arranged, often brilliant gatherings socially and intellectually, with instructive debates; also drawing-room meetings, as at the homes of Mr. and Mrs. C. Bekker van Bosse in Scheveningen and Baron and

Baroness de Laveleye in Brussels. Interesting is the fact that a number of these meetings were arranged by organizations other than peace societies: in Nuremberg it was a commercial organization. One of the Amsterdam meetings was under the joint auspices of the Dutch Peace Society and the Society of Liberal Christianity; another, under the joint auspices of the Dutch Society of Rectors of Schools and of two Teachers' Associations. At one of the Brussels meetings I had again the pleasure, as in the previous year, of sharing the time of the programme with Senator Henri LaFontaine, the president of the International Peace Bureau. At The Hague some prominent members of parliament signed the petition in the Peace Palace built by Mr. Carnegie, a visit to it having been granted as an exceptional favor to the organization committee of the fine Hague meeting and to myself; and arrangements were made that those who are engaged in building the Peace Palace shall be asked to sign the petition. Excellency Asser, one of the delegates of the Dutch Government at the two Hague Peace Conferences, gave me valuable information.

From the latter part of February to the middle of June I worked in France. My campaign there was under the auspices of the French Peace Societies, the "Association de la Paix par le Droit," whose president is Professor Ruysen, and the "Société Française pour l'Arbitrage entre Nations," whose president is Prof. Charles Richet. These societies were aided by "La Société de l'Éducation Pacifiste," by many teachers' societies and other organizations. Baron d'Estournelles de Constant, president of the European branch of the Carnegie Endowment, kindly placed the Paris office at my disposal for headquarters of my campaign in France. Much of my time was spent in Paris. (See *La Paix par le Droit*, March 10, 1912, article by Dr. J. Prudhommeaux, general secretary of the European branch of the Carnegie Endowment.) Other French cities where I gave lectures are Guise, Clermont, Ferrand, Lyons, Nîmes, Montauban, Nantes, Parthenay, La Rochelle, Beauvais, Rouen, Bourges, Bordeaux, Limoges, etc. The local organization committees and the chairmen of the meetings were everywhere representative men and women; and the audiences, composed of various elements of society, were almost always inspiring. It was especially pleasant that the first public meeting of my French campaign outside of Paris was arranged under the auspices of the Peace Society of the Familistère at Guise. The Familistère of Guise being—thanks to the wisdom and generosity of the noble millionaire, J. B. André Godin—a model of perfect adjustment of the interests of capital and labor, it represents the complete and happy realization of a lofty ideal. The mayor of

Guise presided, Dr. J. Prudhommeaux also addressed the meeting, and many new coworkers joined our ranks.

One of the very brilliant French meetings was that at Lyons. The large and beautiful hall of the Palais de la Bourse was so crowded that many gentlemen and ladies were obliged to stand throughout the whole evening. Mr. Vanderpol, the founder of the Catholic Peace League, presided. In several other cases, leaders of the peace movement added to the success of the meetings by eloquent addresses. Professor Ruyssen, of the University of Bordeaux, delivered lectures jointly with me at Pau, Angoulême, and Bordeaux. In Clermont, at the University Hall, Professor Desdevises du Dezert presided; and in Paris, at the City Hall, Prof. C. Bougle, the sociologist from the Sorbonne, presided. In Limoges, at the new Examination Hall of the Prefecture, M. Crevelier, inspecteur de l'académie of the Dep. La Haute Vienne, presided, and Professor Allegret and the American consul, E. L. Belisle, of Worcester, Mass., were members of the local organization committee. At La Rochelle, in the large, fine Huguenot Oratoire, the American consul, Mr. Jackson, also from Massachusetts, was a delightful chairman. There would be much of interest and encouragement to report of every meeting, especially of addresses at colleges and teachers' meetings. Detailed reports of a number of the meetings were given in the fortnightly review, *La Paix par le Droit*, and in many of the French daily papers. In spite of the high wave of jingoism that prevailed, the daily press has been exceedingly sympathetic throughout: it has helped the cause of the World Petition very much by publishing clear and often full accounts of the meetings and lectures.

At the end of the French campaign there was a violent attack made upon the World Petition. The attempt was made to prevent individuals and societies from signing the petition, on the pretext that it stood for a rigid fixation of the boundaries of the nations. The fact that this attack came from two or three "pacifists" was a source of deep distress to our great and lamented Frederic Passy, as well as to other leaders and friends of the peace movement in France. For the sake of conciliation I agreed to a slight verbal change of the text of the petition for France, the sense remaining unaltered. The conflict cost a vexatious waste of time, money, and strength, so sorely needed for positive work. However, the polemics served to strengthen convictions in favor of the World Petition; and a further consequence is the realization of the necessity of defining "vital interests" and of finding satisfactory means for their protection. The hostilities thus resulted in education, and in giving evidence of what able and

stanch friends the World Petition has in France. My French campaign has filled me with deeper respect, affection, and gratitude than ever towards our French peace friends and the French people, and has inspired me with new courage and a firmer faith that the World Petition will attain its ends.

From France I returned to Germany. Here a lecture of far-reaching importance was one I gave in the University Extension Courses at Jena, where I had spoken previously, in 1911. This year the courses were attended by 746 students, many from all parts of Europe and from America; and those familiar with conditions in Germany will appreciate what a hopeful sign it is that a peace worker is accepted among the lecturers of these courses. In the debate which followed my lecture, Professor Weinel, the eminent liberal theologian, again supported the World Petition with the full weight of his deep thought and convincing eloquence, as he had done on previous occasions; and the hall was so crowded that many people were unable to find place. The evening was rich in results, as was the whole fortnight of my work in Jena.

I addressed at Magdeburg, by invitation, the large opening meeting of the national conference of the Monistenbund, at which its president, Professor Ostwald, of Leipsic, who has succeeded Professor Haeckel, joined me with warm and inspiring words in support of the World Petition. Here at Magdeburg also hundreds of petition forms found men and women who made it their duty to have them filled with signatures. My next lecture was again in French, at Lausanne, Switzerland, a public meeting having been arranged by the Peace Society of the Canton of Vaud. In September and October I attended three peace congresses: the Universal Peace Congress at Geneva, at which I represented the World Peace Foundation; the first Congress of the Verband für internationale Verständigung (German Association for International Conciliation) at Heidelberg; and the annual conference of the German Peace Society at Berlin. At Geneva Rev. Frank Thomas was among those who advanced the cause of the World Petition in an effectual way, the renowned preacher reading from his pulpit in the magnificent Victoria Hall the text of the petition, and urging his congregation to sign the forms distributed in the vestibule and to obtain the signatures and co-operation of their friends.

The committee of the International Peace Bureau, at its Geneva meeting on September 27, 1912, in order to clear up misunderstandings concerning the World Petition, passed a resolution declaring that the texts at present being circulated in the different countries nowise conflict with the principles of pacifist doctrine, since all these

texts recognize, either by implication or explicitly, that changes affecting the independence and territorial possessions of States ought not to be brought about by war, but by treaties to be concluded with the free consent of the nations and peoples concerned,—this without in any way excluding arbitration treaties. Furthermore, it again requested the friends of peace *to engage without delay in propaganda in favor of these petitions*, so that the signatures may be laid before the International Committee instructed to draw up the program of the next Peace Conference, as soon as it meets.

One of the fruits of the Berlin Congress is the co-operation of the editor of the *Ethische Rundschau*, and his request for 2,000 copies of the World Petition for distribution. At the Heidelberg Conference, which was inaugurated by Professor Nippold, and attended—among other prominent personalities, like Baron d'Estournelles de Constant—by seventeen leading men in international law, such as Professor Zorn, German delegate at both of The Hague Peace Conferences, Professor Niemeyer of Kiel University, Professors Schücking, Piloty, etc., the acquisition of signatures to the World Petition and of new co-workers was in quality remarkable.

Some time ago President Taft's and Mr. Knox's approval of and pleasure in the World Petition were expressed in letters signed by them and sent to an English gentleman in reply to his letter and a World Petition form with the signatures of seventeen members of the British Parliament. French students devoted their Easter vacation to addressing meetings in order to collect signatures for the World Petition. An Austrian inspector of schools has collected 1,462 signatures; a German gentleman, 1,035; an Alsatian lady recently wrote me that she regretted not to have been able to quite complete the second thousand; an English family sent in 4,575 signatures.

In spite of the Morocco crisis, the actual wars, and a mad jingoism everywhere, the signs of active interest in the World Petition continue to increase. Steadily the World Petition is making its way to the attention, the respect, and the coöperation not only of the masses, but also of the men of authority in science and politics. All signs indicate that the World Petition is bound to attain its ends, and that it will bring honor and joy to the World Peace Foundation and its noble founder.

COBURG, GERMANY, Nov. 20, 1912.



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**THE OBLIGATIONS OF THE  
UNITED STATES**

BY

HON. ELIHU ROOT

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# OBLIGATIONS OF THE UNITED STATES AS TO PANAMA CANAL TOLLS.

BY HON. ELIHU ROOT.

SPEECH IN THE UNITED STATES SENATE, JANUARY 21, 1913.

Mr. ROOT. Mr. President, in the late days of last summer, after nearly nine months of continuous session, Congress enacted, in the bill to provide for the administration of the Panama Canal, a provision making a discrimination between the tolls to be charged upon foreign vessels and the tolls to be charged upon American vessels engaged in coastwise trade. . . . The provision has been the cause of great regret to a multitude of our fellow-citizens, whose good opinion we all desire and whose leadership of opinion in the country makes their approval of the course of our Congress an important element in maintaining that confidence in government which is so essential to its success. The provision has caused a painful impression throughout the world that the United States has departed from its often-announced rule of equality of opportunity in the use of the Panama Canal, and is seeking a special advantage for itself in what is believed to be a violation of the obligations of a treaty. Mr. President, that opinion of the civilized world is something which we may not lightly disregard. "A decent respect to the opinions of mankind" was one of the motives stated for the people of these colonies in the great Declaration of American Independence.

The effect of the provision has thus been doubly unfortunate, and I ask the Senate to listen to me while I endeavor to state the situation in which we find ourselves,—to state the case which is made against the action that we have taken, in order that I may present to the Senate the question whether we should not either submit to an impartial tribunal the question whether we are right, so that, if we are right, we may be vindicated in the eyes of all the world, or whether we should not, by a repeal of the provision, retire from the position which we have taken.

In the year 1850, Mr. President, there were two great powers in possession of the North American Continent to the north of the Rio Grande. The United States had but just come to its full stature. By the Webster-Ashburton treaty of 1842 our north-eastern boundary had been settled, leaving to Great Britain that tremendous stretch of seacoast including Nova Scotia, New Brunswick, Newfoundland, Labrador, and the shores of the Gulf of St. Lawrence, now forming the Province of Quebec. In 1846 the Oregon boundary had been settled, assuring to the United States a title to that vast region which now constitutes the States of Washington, Oregon and Idaho. In 1848 the treaty of Guadalupe-Hidalgo had given to us that great empire wrested from Mexico as a result of the Mexican War, which now spreads along the coast of the Pacific as the State of California and the great region between California and Texas.

Inspired by the manifest requirements of this new empire, the United States turned its attention to the possibility of realizing the dream of centuries and connecting its two coasts—its old coast upon the Atlantic and its new coast upon the Pacific—by a ship canal through the Isthmus; but, when it turned its attention in that direction, it found the other empire holding the place of advantage. Great Britain had also her coast upon the Atlantic and her coast upon the Pacific, to be joined by a canal. Further than that, Great Britain was a Caribbean power. She had Bermuda and the Bahamas; she had Jamaica and Trinidad; she had the Windward Islands and the Leeward Islands; she had British Guiana and British Honduras; she had, moreover, a protectorate over the Mosquito coast, a great stretch of territory upon the eastern shore of Central America, which included the river San Juan and the valley and harbor of San Juan de Nicaragua, or Greytown. All men's minds then were concentrated upon the Nicaragua Canal route, as they were until after the treaty of 1901 was made.

And thus, when the United States turned its attention toward joining these two coasts by a canal through the Isthmus, it found Great Britain in possession of the eastern end of the route, which men generally believed would be the most available route for the canal. Accordingly, the United States sought a treaty with Great Britain by which Great Britain should renounce the advantage which she had and admit the United States to equal participation with her in the control and the protection of a canal across the Isthmus. From that came the Clayton-Bulwer treaty.

Let me repeat that this treaty was sought not by England but by the United States. Mr. Clayton, who was Secretary of State at the time, sent our minister to France, Mr. Rives, to London for the purpose of urging upon Lord Palmerston the making of the treaty. The treaty was made by Great Britain as a concession to the urgent demands of the United States.

I should have said, in speaking about the urgency with which the United States sought the Clayton-Bulwer treaty, that there were two treaties made with Nicaragua, one by Mr. Heis and one by Mr. Squire, both representatives of the United States. Each gave, so far as Nicaragua could, great powers to the United States in regard to the construction of a canal, but they were made without authorization from the United States, and they were not approved by the Government of the United States and were never sent to the Senate. Mr. Clayton, however, held those treaties in abeyance as a means of inducing Great Britain to enter into the Clayton-Bulwer treaty. He held them practically as a whip over the British negotiators, and, having accomplished the purpose, they were thrown into the waste-basket.

By that treaty Great Britain agreed with the United States that neither Government should "ever obtain or maintain for itself any exclusive control over the ship canal"; that neither would "make use of any protection" which either afforded to a canal "or any alliance which either" might have "with any State or people for the purpose of erecting or maintaining any fortifications, or of occupying, fortifying or colonizing Nicaragua, Costa Rica, the Mosquito coast or any part of Central America, or of assuming or exercising dominion over the same," and that neither would "take advantage of any intimacy, or use any alliance, connection or influence that either" might "possess with any State or Government through whose territory the said canal may pass, for the purpose of acquiring or holding, directly or indirectly, for the citizens or subjects of the one, any rights or advantages in regard to commerce or navigation through the said canal which shall not be offered on the same terms to the citizens or subjects of the other."

You will observe, Mr. President, that under these provisions the United States gave up nothing that it then had. Its obligations were entirely looking to the future; and Great Britain gave up its rights under the protectorate over the Mosquito coast, gave up its rights to what was supposed to be the eastern terminus of the canal.

And let me say without recurring to it again, under this treaty, after much discussion which ensued as to the meaning of its terms, Great Britain did surrender her rights to the Mosquito coast, so that the position of the United States and Great Britain became a position of absolute equality. Under this treaty also both parties agreed that each should "enter into treaty stipulations with such of the Central American States as they" might "deem advisable for the purpose,"—I now quote the words of the treaty,—“for the purpose of more effectually carrying out the great design of this convention, namely, that of constructing and maintaining the said canal as a ship communication between the two oceans for the benefit of mankind, on equal terms to all, and of protecting the same.”

That declaration, Mr. President, is the corner-stone of the rights of the United States upon the Isthmus of Panama,—rights having their origin in a solemn declaration that there should be constructed and maintained a ship canal “between the two oceans for the benefit of mankind, on equal terms to all.”

In the eighth article of that treaty the parties agreed:—

The Governments of the United States and Great Britain having not only desired, in entering into this convention, to accomplish a particular object, but also to establish a general principle, they hereby agree to extend their protection, by treaty stipulations, to any other practicable communications, whether by canal or railway, across the isthmus which connects North and South America, and especially to the interoceanic communications, should the same prove to be practicable, whether by canal or railway, which are now proposed to be established by the way of Tehuantepec or Panama. In granting, however, their joint protection to any such canals or railways as are by this article specified, it is always understood by the United States and Great Britain that the parties constructing or owning the same shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments shall approve of as just and equitable; and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other State which is willing to grant thereto such protection as the United States and Great Britain engage to afford.

There, Mr. President, is the explicit agreement for equality of treatment to the citizens of the United States and to the citizens of Great Britain in any canal, wherever it may be constructed, across the Isthmus. That was the fundamental principle embodied in the treaty of 1850. And we are not without an authoritative construction as to the scope and requirements of an agreement of that description, because we have another treaty with Great Britain,—a treaty which formed one of the great landmarks in the diplomatic history of the world and one of the great steps in the progress of civilization,—



the treaty of Washington of 1871, under which the Alabama claims were submitted to arbitration. Under that treaty there were provisions for the use of the American canals along the waterway of the Great Lakes, and the Canadian canals along the same line of communication, upon equal terms to the citizens of the two countries.

Some years after the treaty, Canada undertook to do something quite similar to what we have undertaken to do in this law about the Panama Canal. It provided that, while nominally a toll of 20 cents a ton should be charged upon the merchandise both of Canada and of the United States, there should be a rebate of 18 cents for all merchandise which went to Montreal or beyond, leaving a toll of but 2 cents a ton for that merchandise. The United States objected; and I beg your indulgence while I read from the message of President Cleveland upon that subject, sent to the Congress August 23, 1888. He says:

By article 27 of the treaty of 1871 provision was made to secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals in the Dominion of Canada on terms of equality with the inhabitants of the Dominion, and to also secure to the subjects of Great Britain the use of the St. Clair Flats Canal on terms of equality with the inhabitants of the United States.

The equality with the inhabitants of the Dominion which we were promised in the use of the canals of Canada did not secure to us freedom from tolls in their navigation, but we had a right to expect that we, being Americans, and interested in American commerce, would be no more burdened in regard to the same than Canadians engaged in their own trade; and the whole spirit of the concession made was, or should have been, that merchandise and property transported to an American market through these canals should not be enhanced in its cost by tolls many times higher than such as were carried to an adjoining Canadian market. All our citizens, producers and consumers as well as vessel owners, were to enjoy the equality promised.

And yet evidence has for some time been before the Congress, furnished by the Secretary of the Treasury, showing that while the tolls charged in the first instance are the same to all, such vessels and cargoes as are destined to certain Canadian ports—

their coastwise trade—

are allowed a refund of nearly the entire tolls, while those bound for American ports are not allowed any such advantage.

To promise equality and then in practice make it conditional upon our vessels doing Canadian business instead of their own, is to fulfill a promise with the shadow of performance.

Upon the representations of the United States embodying that view, Canada retired from the position which she had taken, rescinded the provision for differential tolls, and put American trade going to American markets on the same basis of tolls as Canadian trade going

to Canadian markets. She did not base her action upon any idea that there was no competition between trade to American ports and trade to Canadian ports, but she recognized the law of equality in good faith and honor; and to this day that law is being accorded to us and by each great Nation to the other.

I have said, Mr. President, that the Clayton-Bulwer treaty was sought by us. In seeking it, we declared to Great Britain what it was that we sought. I ask the Senate to listen to the declaration that we made to induce Great Britain to enter into that treaty,—to listen to it because it is the declaration by which we are in honor bound as truly as if it were signed and sealed.

Here I will read the report made to the Senate on the 5th day of April, 1900, by Senator Cushman K. Davis, then chairman of the Committee on Foreign Relations. So you will perceive that this is no new matter to the Senate of the United States and that I am not proceeding upon my own authority in thinking it worthy of your attention.

Mr. Rives was instructed to say and did say to Lord Palmerston, in urging upon him the making of the Clayton-Bulwer treaty, this:

The United States sought no exclusive privilege or preferential right of any kind in regard to the proposed communication, and their sincere wish, if it should be found practicable, was to see it dedicated to the common use of all nations on the most liberal terms and a footing of perfect equality for all.

That the United States would not, if they could, obtain any exclusive right or privilege in a great highway which naturally belonged to all mankind.

That, sir, was the spirit of the Clayton-Bulwer convention. That was what the United States asked Great Britain to agree upon. That self-denying declaration underlaid and permeated and found expression in the terms of the Clayton-Bulwer convention. And upon that representation Great Britain in that convention relinquished her coign of vantage which she herself had for the benefit of her great North American empire for the control of the canal across the Isthmus.

Mr. CUMMINS. The Senator has stated that at the time of the Clayton-Bulwer treaty we were excluded from the Mosquito coast by the protectorate exercised by Great Britain over that coast. My question is this: Had we not at that time a treaty with New Granada that gave us equal or greater rights upon the Isthmus of Panama than were claimed even by Great Britain over the Mosquito coast?

Mr. ROOT. Mr. President, we had the treaty of 1846 with New Granada, under which we undertook to protect any railway or canal

across the Isthmus. But that did not apply to the Nicaragua route, which was then supposed to be the most available route for a canal.

Mr. CUMMINS. I quite agree with the Senator about that. I only wanted it to appear in the course of the argument that we were then under no disability so far as concerned building a canal across the Isthmus of Panama.

Mr. ROOT. We were under a disability so far as concerned building a canal by the Nicaragua route, which was regarded as the available route until the discussion in the Senate after 1901, in which Senator Spooner and Senator Hanna practically changed the judgment of the Senate with regard to what was the proper route to take. And in the treaty of 1850, so anxious were we to secure freedom from the claims of Great Britain on the eastern end of the Nicaragua route that, as I have read, we agreed that the same contract should apply not merely to the Nicaragua route, but to the whole of the Isthmus. So that from that time on the whole Isthmus was impressed by the same obligations which were impressed upon the Nicaragua route, and whatever rights we had under our treaty of 1846 with New Granada we were thenceforth bound to exercise with due regard and subordination to the provisions of the Clayton-Bulwer treaty.

Mr. President, after the lapse of some thirty years, during the early part of which we were strenuously insisting upon the observance by Great Britain of her obligations under the Clayton-Bulwer treaty and during the latter part of which we were beginning to be restive under our obligations by reason of that treaty, we undertook to secure a modification of it from Great Britain. In the course of that undertaking there was much discussion and some difference of opinion as to the continued obligations of the treaty. But I think that was finally put at rest by the decision of Secretary Olney in the memorandum upon the subject made by him in the year 1896. In that memorandum he said:

Under these circumstances, upon every principle which governs the relation to each other, either of nations or of individuals, the United States is completely estopped from denying that the treaty is in full force and vigor.

If changed conditions now make stipulations, which were once deemed advantageous, either inapplicable or injurious, the true remedy is not in ingenious attempts to deny the existence of the treaty or to explain away its provisions, but in a direct and straightforward application to Great Britain for a reconsideration of the whole matter.

We did apply to Great Britain for a reconsideration of the whole matter, and the result of the application was the Hay-Pauncefote

treaty. That treaty came before the Senate in two forms: first, in the form of an instrument signed on the 5th of February, 1900, which was amended by the Senate; and, second, in the form of an instrument signed on the 18th of November, 1901, which continued the greater part of the provisions of the earlier instrument, but somewhat modified or varied the amendments which had been made by the Senate to that earlier instrument.

It is really but one process by which the paper sent to the Senate in February, 1900, passed through a course of amendment,—first at the hands of the Senate, and then at the hands of the negotiators between Great Britain and the United States, with the subsequent approval of the Senate. In both the first form and the last of this treaty the preamble provides for preserving the provisions of article 8 of the Clayton-Bulwer treaty. Both forms provide for the construction of the canal under the auspices of the United States alone instead of its construction under the auspices of both countries.

Both forms of that treaty provide that the canal might be—

constructed under the auspices of the Government of the United States, either directly at its own cost or by gift or loan of money to individuals or corporations or through subscription to or purchase of stock or shares,—

that being substituted for the provisions of the Clayton-Bulwer treaty under which both countries were to be patrons of the enterprise.

Under both forms it was further provided that—

Subject to the provisions of the present convention, the said Government—the United States—

shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

That provision, however, for the exclusive patronage of the United States was subject to the initial provision that the modification or change from the Clayton-Bulwer treaty was to be for the construction of such canal under the auspices of the Government of the United States, without impairing the general principle of neutralization established in article 8 of that convention.

Then the treaty as it was finally agreed to provides that the United States “adopt, as the basis of such neutralization of such ship canal,” the following rules, substantially as embodied in the convention “of Constantinople, signed the 29th of October, 1888,” for the free navigation of the Suez Maritime Canal; that is to say:

First. The canal shall be free and open . . . to the vessels of commerce and of war of all nations, "observing these rules on terms of entire equality, so that there shall be no discrimination against any nation or its citizens or subjects in respect to the conditions or charges of traffic, or otherwise." Such conditions and charges of traffic shall be just and equitable.

Then follow rules relating to blockade and vessels of war, the embarkation and disembarkation of troops, and the extension of the provisions to the waters adjacent to the canal.

Now, Mr. President, that rule must of course be read in connection with the provision for the preservation of the principle of neutralization established in article 8 of the Clayton-Bulwer convention.

Let me take your minds back again to article 8 of the Clayton-Bulwer convention, consistently with which we are bound to construe the rule established by the Hay-Pauncefote convention. The principle of neutralization provided for by the eighth article is neutralization upon terms of absolute equality both between the United States and Great Britain and between the United States and all other powers.

It is always understood—

says the eighth article—

by the United States and Great Britain that the parties constructing or owning the same—

that is, the canal—

shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments shall approve of as just and equitable, and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other State which is willing to grant thereto such protection as the United States and Great Britain engage to afford.

Now we are not at liberty to put any construction upon the Hay-Pauncefote treaty which violates that controlling declaration of absolute equality between the citizens and subjects of Great Britain and the United States.

Mr. President, when the Hay-Pauncefote convention was ratified by the Senate, it was in full view of this controlling principle, in accordance with which their act must be construed, for Senator Davis, in his report from the Committee on Foreign Relations, to which I have already referred—

Mr. McCUMBER. On the treaty in its first form.

Mr. ROOT. Yes, the report on the treaty in its first form. Mr. Davis said, after referring to the Suez convention of 1888:

The United States cannot take an attitude of opposition to the principles of the great act of October 22, 1888, without discrediting the official declarations of our Government for 50 years on the neutrality of an Isthmian canal and its equal use by all nations without discrimination.

To set up the selfish motive of gain by establishing a monopoly of a highway that must derive its income from the patronage of all maritime countries would be unworthy of the United States if we owned the country through which the canal is to be built.

But the location of the canal belongs to other governments, from whom we must obtain any right to construct a canal on their territory, and it is not unreasonable, if the question was new and was not involved in a subsisting treaty with Great Britain, that she should question the right of even Nicaragua and Costa Rica to grant to our ships of commerce and of war extraordinary privileges of transits through the canal.

I shall revert to that principle declared by Senator Davis. I continue the quotation:

It is not reasonable to suppose that Nicaragua and Costa Rica would grant to the United States the exclusive control of a canal through those States on terms less generous to the other maritime nations than those prescribed in the great act of October 22, 1888, or if we could compel them to give us such advantages over other nations it would not be creditable to our country to accept them.

That our Government or our people will furnish the money to build the canal presents the single question whether it is profitable to do so. If the canal, as property, is worth more than its cost, we are not called on to divide the profits with other nations. If it is worth less and we are compelled by national necessities to build the canal, we have no right to call on other nations to make up the loss to us. In any view, it is a venture that we will enter upon if it is to our interest, and, if it is otherwise, we will withdraw from its further consideration.

The Suez Canal makes no discrimination in its tolls in favor of its stockholders, and, taking its profits or the half of them as our basis of calculation, we will never find it necessary to differentiate our rates of toll in favor of our own people in order to secure a very great profit on the investment.

Mr. President, in view of that declaration of principle, in the face of that declaration, the United States cannot afford to take a position at variance with the rule of universal equality established in the Suez Canal convention,—equality as to every stockholder and all non-stockholders, equality as to every nation whether in possession or out of possession. In the face of that declaration the United States cannot afford to take any other position than upon the rule of universal equality of the Suez Canal convention, and upon the further declaration that the country owning the territory through which this canal was to be built would not and ought not to give any special advantage or preference to the United States as compared with all

the other nations of the earth. In view of that report the Senate rejected the amendment which was offered by Senator Bard of California providing for preference to the coastwise trade of the United States. This is the amendment which was proposed:

The United States reserves the right in the regulation and management of the canal to discriminate in respect of the charges of traffic in favor of vessels of its own citizens engaged in the coastwise trade.

I say, the Senate rejected that amendment upon this report, which declared the rule of universal equality without any preference or discrimination in favor of the United States as being the meaning of the treaty and the necessary meaning of the treaty.

There was still more before the Senate, there was still more before the country, to fix the meaning of the treaty. I have read the representations that were made, the solemn declarations made by the United States to Great Britain establishing the rule of absolute equality without discrimination in favor of the United States or its citizens to induce Great Britain to enter into the Clayton-Bulwer treaty.

Now let me read the declaration made to Great Britain to induce her to modify the Clayton-Bulwer treaty and give up her right to joint control of the canal and put in our hands the sole power to construct it or patronize it or control it.

Mr. Blaine said in his instructions to Mr. Lowell on June 24, 1881, directing Mr. Lowell to propose to Great Britain the modification of the Clayton-Bulwer treaty.

I read his words:

The United States recognizes a proper guarantee of neutrality as essential to the construction and successful operation of any highway across the Isthmus of Panama, and in the last generation every step was taken by this Government that is deemed requisite in the premises. The necessity was foreseen and abundantly provided for long in advance of any possible call for the actual exercise of power. . . . *Nor, in time of peace, does the United States seek to have any exclusive privileges accorded to American ships in respect to precedence or tolls through an interoceanic canal any more than it has sought like privileges for American goods in transit over the Panama Railway, under the exclusive control of an American corporation.* The extent of the privileges of American citizens and ships is measurable under the treaty of 1846 by those of Colombian citizens and ships. *It would be our earnest desire and expectation to see the world's peaceful commerce enjoy the same just, liberal and rational treatment.*

Again he said to Great Britain:

The United States, as I have before had occasion to assure your Lordship, demand no exclusive privileges in these passages, but will always exert their influence to secure their free and unrestricted benefits, both in peace and war, to the commerce of the world.

Mr. President, it was upon that declaration, upon that self-denying declaration, upon that solemn assurance, that the United States sought not and would not have any preference for its own citizens over the subjects and citizens of other countries that Great Britain abandoned her rights under the Clayton-Bulwer treaty and entered into the Hay-Pauncefote treaty, with the clause continuing the principles of clause 8, which embodied these same declarations, and the clause establishing the rule of equality taken from the Suez Canal convention. We are not at liberty to give any other construction to the Hay-Pauncefote treaty than the construction which is consistent with that declaration.

Mr. President, these declarations, made specifically and directly to secure the making of these treaties, do not stand alone. For a longer period than the oldest Senator has lived the United States has been from time to time making open and public declarations of her disinterestedness, her altruism, her purposes for the benefit of mankind, her freedom from desire or willingness to secure special and peculiar advantage in respect of transit across the Isthmus. In 1826 Mr. Clay, then Secretary of State in the Cabinet of John Quincy Adams, said, in his instructions to the delegates to the Panama Congress of that year:

If a canal across the Isthmus be opened "so as to admit of the passage of sea vessels from ocean to ocean, the benefit of it ought not to be exclusively appropriated to any one nation, but should be extended to all parts of the globe upon the payment of a just compensation for reasonable tolls."

Mr. Cleveland, in his annual message of 1885, said:

The lapse of years has abundantly confirmed the wisdom and foresight of those earlier administrations which, long before the conditions of maritime intercourse were changed and enlarged by the progress of the age, proclaimed the vital need of interoceanic transit across the American Isthmus and consecrated it in advance to the common use of mankind by their positive declarations and through the formal obligations of treaties. Toward such realization the efforts of my administration will be applied, ever bearing in mind the principles on which it must rest and which were declared in no uncertain tones by Mr. Cass, who, while Secretary of State in 1858, announced that "What the United States want in Central America next to the happiness of its people is the security and neutrality of the interoceanic routes which lead through it."

By public declarations, by the solemn asseverations of our treaties with Colombia in 1846, with Great Britain in 1850, our treaties with Nicaragua, our treaty with Great Britain in 1901, our treaty with Panama in 1903, we have presented to the world the most unequivocal



guaranty of disinterested action for the common benefit of mankind and not for our selfish advantage.

In the message which was sent to Congress by President Roosevelt on the 4th of January, 1904, explaining the course of this Government regarding the revolution in Panama and the making of the treaty by which we acquired all the title that we have upon the Isthmus, President Roosevelt said:

If ever a Government could be said to have received a mandate from civilization to effect an object the accomplishment of which was demanded in the interest of mankind, the United States holds that position with regard to the interoceanic canal.

Mr. President, there has been much discussion for many years among authorities upon international law as to whether artificial canals for the convenience of commerce did not partake of the character of natural passageways to such a degree that, by the rules of international law, equality must be observed in the treatment of mankind by the nation which has possession and control. Many very high authorities have asserted that that rule applies to the Panama Canal even without a treaty. We base our title upon the right of mankind in the Isthmus, treaty or no treaty. We have long asserted, beginning with Secretary Cass, that the nations of Central America had no right to debar the world from its right of passage across the Isthmus. Upon that view, in the words which I have quoted from President Roosevelt's message to Congress, we base the justice of our entire action upon the Isthmus which resulted in our having the Canal Zone. We could not have taken it for our selfish interest; we could not have taken it for the purpose of securing an advantage to the people of the United States over the other peoples of the world; it was only because civilization had its rights to passage across the Isthmus and because we made ourselves the mandatory of civilization to assert those rights that we are entitled to be there at all. On the principles which underlie our action and upon all the declarations that we have made for more than half a century, as well as upon the express and positive stipulations of our treaties, we are forbidden to say we have taken the custody of the Canal Zone to give ourselves any right of preference over the other civilized nations of the world beyond those rights which go to the owner of a canal to have the tolls that are charged for passage.

Well, Mr. President, asserting that we were acting for the common benefit of mankind, willing to accept no preferential right of our own,

just as we asserted it to secure the Clayton-Bulwer treaty, just as we asserted it to secure the Hay-Pauncefote treaty, when we had recognized the Republic of Panama, we made a treaty with her on the 18th of November, 1903. I ask your attention now to the provisions of that treaty. In that treaty both Panama and the United States recognize the fact that the United States was acting, not for its own special and selfish interest, but in the interest of mankind.

The suggestion has been made that we are relieved from the obligations of our treaties with Great Britain because the Canal Zone is our territory. It is said that, because it has become ours, we are entitled to build the canal on our own territory and do what we please with it. Nothing can be further from the fact. It is not our territory, except in trust. Article 2 of the treaty with Panama provides:

The Republic of Panama grants to the United States in perpetuity the use, occupation and control of a zone of land and land under water for the construction, maintenance, operation, sanitation and protection of said canal—

and for no other purpose—

of the width of 10 miles extending to the distance of 5 miles on each side of the center line of the route of the canal to be constructed.

The Republic of Panama further grants to the United States in perpetuity the use, occupation and control of any other lands and waters outside of the zone above described which may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said canal or of any auxiliary canals or other works necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said enterprise.

Article 3 provides:

The Republic of Panama grants to the United States all the rights, power and authority within the zone mentioned and described in article 2 of this agreement—

from which I have just read—

and within the limits of all auxiliary lands and waters mentioned and described in said article 2 which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority.

Article 5 provides:

The Republic of Panama grants to the United States in perpetuity a monopoly for the construction, maintenance and operation of any system of communication by means of canal or railroad across its territory between the Caribbean Sea and the Pacific Ocean.

I now read from article 18:

The canal, when constructed, and the entrances thereto shall be neutral in perpetuity, and shall be opened upon the terms provided for by section 1 of article 3 of, and in conformity with all the stipulations of, the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.

So, Mr. President, far from our being relieved of the obligations of the treaty with Great Britain by reason of the title that we have obtained to the Canal Zone, we have taken that title impressed with a solemn trust. We have taken it for no purpose except the construction and maintenance of a canal in accordance with all the stipulations of our treaty with Great Britain. We cannot be false to those stipulations without adding to the breach of contract a breach of the trust which we have assumed, according to our own declarations, for the benefit of mankind as the mandatory of civilization.

In anticipation of the plainly-to-be-foreseen contingency of our having to acquire some kind of title in order to construct the canal, the Hay-Pauncefote treaty provided expressly in article 4:

It is agreed that no change of territorial sovereignty or of international relations of the country or countries traversed by the before-mentioned canal shall affect the general principle of neutralization or the obligation of the high contracting parties under the present treaty.

So you will see that the treaty with Great Britain expressly provides that its obligations shall continue, no matter what title we get to the Canal Zone; and the treaty by which we get the title expressly impresses upon it as a trust the obligations of the treaty with Great Britain. How idle it is to say that because the Canal Zone is ours we can do with it what we please!

There is another suggestion made regarding the obligations of this treaty, and that is that matters relating to the coasting trade are matters of special domestic concern, and that nobody else has any right to say anything about them. We did not think so when we were dealing with the Canadian canals. But that may not be conclusive as to rights under this treaty. But examine it for a moment.

It is rather poverty of language than a genius for definition which leads us to call a voyage from New York to San Francisco, passing along countries thousands of miles away from our territory, "coasting trade," or to call a voyage from New York to Manila, on the other side of the world, "coasting trade." When we use the term "coasting trade," what we really mean is that under our navigation laws

a voyage which begins and ends at an American port has certain privileges and immunities and rights, and it is necessarily in that sense that the term is used in this statute. It must be construed in accordance with our statutes.

Sir, I do not for a moment dispute that ordinary coasting trade is a special kind of trade that is entitled to be treated differently from trade to or from distant foreign points. It is ordinarily neighborhood trade, from port to port, by which the people of a country carry on their intercommunication, often by small vessels, poor vessels, carrying cargoes of slight value. It would be quite impracticable to impose upon trade of that kind the same kind of burdens which great ocean-going steamers, trading to the farthest parts of the earth, can well bear. We make that distinction. Indeed, Great Britain herself makes it, although Great Britain admits all the world to her coasting trade. But it is by quite a different basis of classification—that is, the statutory basis—that we call a voyage from the eastern coast of the United States to the Orient a coasting voyage, because it begins and ends in an American port.

This is a special, peculiar kind of trade which passes through the Panama Canal. You may call it "coasting trade," but it is unlike any other coasting trade. It is special and peculiar to itself.

Grant that we are entitled to fix a different rate of tolls for that class of trade from that which would be fixed for other classes of trade. Ah! yes; but Great Britain has her coasting trade through the canal under the same definition, and Mexico has her coasting trade, and Germany has her coasting trade, and Colombia has her coasting trade, in the same sense that we have. You are not at liberty to discriminate in fixing tolls between a voyage from Portland, Me., to Portland, Ore., by an American ship, and a voyage from Halifax to Victoria in a British ship, or a voyage from Vera Cruz to Acapulco in a Mexican ship, because, when you do so, you discriminate, not between coasting trade and other trade, but between American ships and British ships, Mexican ships or Colombian ships. That is a violation of the rule of equality which we have solemnly adopted, and asserted and reasserted, and to which we are bound by every consideration of honor and good faith. Whatever this treaty means, it means for that kind of trade as well as for any other kind of trade.

The suggestion has been made, also, that we should not consider that the provision in this treaty about equality as to tolls really

means what it says, because it is not to be supposed that the United States would give up the right to defend itself, to protect its own territory, to land its own troops, and to send through the canal as it pleases its own ships of war. That is disposed of by the considerations which were presented to the Senate in the Davis report, to which I have already referred, in regard to the Suez convention.

The Suez convention, from which these rules of the Hay-Pauncefote treaty were taken almost—though not quite—textually, contained other provisions which reserved to Turkey and to Egypt, as sovereigns of the territory through which the canal passed,—Egypt as the sovereign and Turkey as the suzerain over Egypt,—all of the rights that pertained to sovereigns for the protection of their own territory. As when the Hay-Pauncefote treaty was made neither party to the treaty had any title to the region which would be traversed by the canal, no such clauses could be introduced. But, as was pointed out, the rules which were taken from the Suez Canal for the control of the canal management would necessarily be subject to these rights of sovereignty which were still to be secured from the countries owning the territory. That is recognized by the British Government in the note which has been sent to us and has been laid before the Senate, or is in the possession of the Senate, from the British foreign office.

In Sir Edward Grey's note of November 14, 1912, he says what I am about to read. This is an explicit disclaimer of any contention that the provisions of the Hay-Pauncefote treaty exclude us from the same rights of protection of territory which Nicaragua or Colombia or Panama would have had as sovereigns, and which we succeed to, *pro tanto*, by virtue of the Panama Canal treaty.

Sir Edward Grey says:

I notice that in the course of the debate in the Senate on the Panama Canal bill the argument was used by one of the speakers that the third, fourth and fifth rules embodied in article 3 of the treaty show that the words "all nations" cannot include the United States, because, if the United States were at war, it is impossible to believe that it could be intended to be debarred by the treaty from using its own territory for revictualling its warships or landing troops.

The same point may strike others who read nothing but the text of the Hay-Pauncefote treaty itself, and I think it is therefore worth while that I should briefly show that this argument is not well founded.

I read this not as an argument, but because it is a formal, official disclaimer which is binding.

Sir Edward Grey proceeds:

The Hay-Pauncefote treaty of 1901 aimed at carrying out the principle of the neutralization of the Panama Canal by subjecting it to the same régime as the Suez Canal. Rules 3, 4 and 5 of article 3 of the treaty are taken almost textually from articles 4, 5 and 6 of the Suez Canal Convention of 1888. At the date of the signature of the Hay-Pauncefote treaty the territory on which the Isthmian Canal was to be constructed did not belong to the United States, consequently there was no need to insert in the draft treaty provisions corresponding to those in articles 10 and 13 of the Suez Canal Convention, which preserve the sovereign rights of Turkey and of Egypt, and stipulate that articles 4 and 5 shall not affect the right of Turkey, as the local sovereign and of Egypt, within the measure of her autonomy, to take such measures as may be necessary for securing the defense of Egypt and the maintenance of public order, and, in the case of Turkey, the defense of her possessions on the Red Sea.

Now that the United States has become the practical sovereign of the canal, His Majesty's Government do not question its title to exercise belligerent rights for its protection.

Mr. President, Great Britain has asserted the construction of the Hay-Pauncefote treaty of 1901, the arguments for which I have been stating to the Senate. I realize, sir, that I may be wrong. I have often been wrong. I realize that the gentlemen who have taken a different view regarding the meaning of this treaty may be right. I do not think so. But their ability and fairness of mind would make it idle for me not to entertain the possibility that they are right and I am wrong. Yet, Mr. President, the question whether they are right and I am wrong depends upon the interpretation of the treaty. It depends upon the interpretation of the treaty in the light of all the declarations that have been made by the parties to it, in the light of the nature of the subject-matter with which it deals.

Gentlemen say the question of imposing tolls or not imposing tolls upon our coastwise commerce is a matter of our concern. Ah! we have made a treaty about it. If the interpretation of the treaty is as England claims, then it is not a matter of our concern: it is a matter of treaty rights and duties. But, sir, it is not a question as to our rights to remit tolls to our commerce. It is a question whether we can impose tolls upon British commerce when we have remitted them from our own. That is the question. Nobody disputes our right to allow our own ships to go through the canal without paying tolls. What is disputed is our right to charge tolls against other ships when we do not charge them against our own. That is, pure and simple, a question of international right and duty, and depends upon the interpretation of the treaty.

Sir, we have another treaty, made between the United States and Great Britain on the 4th of April, 1908, in which the two nations have agreed as follows:—

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two contracting parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the convention of the 29th of July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence or the honor of the two contracting States, and do not concern the interests of third parties.

Of course, the question of the rate of tolls on the Panama Canal does not affect any nation's vital interests. It does not affect the independence or the honor of either of these contracting States. We have a difference relating to the interpretation of this treaty, and that is all there is to it. We are bound, by this treaty of arbitration, not to stand with arrogant assertion upon our own Government's opinion as to the interpretation of the treaty, not to require that Great Britain shall suffer what she deems injustice by violation of the treaty, or else go to war. We are bound to say, "We keep the faith of our treaty of arbitration, and we will submit the question as to what this treaty means to an impartial tribunal of arbitration."

Mr. President, if we stand in the position of arrogant refusal to submit the questions arising upon the interpretation of this treaty to arbitration, we shall not only violate our solemn obligation, but we shall be false to all the principles that we have asserted to the world and that we have urged upon mankind. We have been urging it upon the other civilized nations. Presidents, Secretaries of State, ambassadors and ministers—aye, Congresses, the Senate and the House, all branches of our Government, have committed the United States to the principle of arbitration irrevocably, unequivocally, and we have urged it in season and out of season on the rest of mankind.

Sir, I cannot detain the Senate by more than beginning upon the expressions that have come from our Government upon this subject, but I will ask your indulgence while I call your attention to a few selected from the others.

On the 9th of June, 1874, the Senate Committee on Foreign Relations reported and the Senate adopted this resolution:

*Resolved*, That the United States having at heart the cause of peace everywhere, and hoping to help its permanent establishment between nations, hereby recommend the adoption of arbitration as a great and practical method for the determination of international difference, to be maintained sincerely and in good faith, so that war may cease to be regarded as a proper form of trial between nations.

On the 17th of June, 1874, the Committee on Foreign Affairs of the House adopted this resolution:

Whereas war is at all times destructive of the material interests of a people, demoralizing in its tendencies, and at variance with an enlightened public sentiment; and whereas *differences between nations should in the interests of humanity and fraternity be adjusted, if possible, by international arbitration*,—therefore,

*Resolved*, That the people of the United States being devoted to the policy of peace with all mankind, enjoining its blessings and hoping for its permanence and its universal adoption, hereby through their representatives in Congress recommend such arbitration as a rational substitute for war; and they further recommend to the treaty-making power of the Government to provide, if practicable, that hereafter in treaties made between the United States and foreign powers war shall not be declared by either of the contracting parties against the other until efforts shall have been made to adjust all alleged cause of difference by impartial arbitration.

On the same 17th of June, 1874, the Senate adopted this resolution:

*Resolved, etc.*, That the President of the United States is hereby authorized and requested to negotiate with all civilized powers who may be willing to enter into such negotiations for the establishment of an international system whereby matters in dispute between different Governments agreeing thereto may be adjusted by arbitration, and, if possible, without recourse to war.

On the 14th of June, 1888, and again on the 14th of February, 1890, the Senate and the House adopted a concurrent resolution in the words which I now read:

*Resolved by the Senate (the House of Representatives concurring)*, That the President be, and is hereby, requested to invite, from time to time, as fit occasions may arise, negotiations with any Government with which the United States has, or may have, diplomatic relations, to the end that any differences or disputes arising between the two Governments which cannot be adjusted by diplomatic agency may be referred to arbitration and be peaceably adjusted by such means.

This was concurred in by the House on the 3d of April, 1890.

Mr. President, in pursuance of those declarations by both Houses of Congress the Presidents and the Secretaries of State and the diplomatic agents of the United States, doing their bounden duty, have been urging arbitration upon the people of the world. Our representatives in The Hague conference of 1899, and in The Hague conference of 1907, and in the Pan American conference in Washington, and in the Pan American conference in Mexico, and in the Pan American conference in Rio de Janeiro were instructed to urge and did urge and pledge the United States in the most unequivocal and urgent terms to support the principle of arbitration upon all questions capable of being submitted to a tribunal for a decision.

Under those instructions Mr. Hay addressed the people of the entire civilized world with the request to come into treaties of arbitration



with the United States. Here was his letter. After quoting from the resolutions and from expressions by the President, he said:—

Moved by these views, the President has charged me to instruct you to ascertain whether the Government to which you are accredited, which he has reason to believe is equally desirous of advancing the principle of international arbitration, is willing to conclude with the Government of the United States an arbitration treaty of like tenor to the arrangement concluded between France and Great Britain on October 14, 1903.

That was the origin of this treaty. The treaties made by Mr. Hay were not satisfactory to the Senate because of the question about the participation of the Senate in the make-up of the special agreement of submission. Mr. Hay's successor modified that on conference with the Committee on Foreign Relations of the Senate, and secured the assent of the other countries of the world to the treaty with that modification. We have made twenty-five of these treaties of arbitration, covering the greater part of the world, under the direction of the Senate of the United States and the House of Representatives of the United States and in accordance with the traditional policy of the United States, holding up to the world the principle of peaceful arbitration.

One of these treaties is here, and under it Great Britain is demanding that the question as to what the true interpretation of our treaty about the canal is shall be submitted to decision, and not be made the subject of war or of submission to what she deems injustice to avoid war.

In response to the last resolution which I have read, the concurrent resolution passed by the Senate and the House requesting the President to enter into the negotiations which resulted in these treaties of arbitration, the British House of Commons passed a resolution accepting the overture. On the 16th of July, 1893, the House of Commons adopted this resolution:—

*Resolved*, That this house has learnt with satisfaction that both Houses of the United States Congress have, by resolution, requested the President to invite from time to time, as fit occasions may arise, negotiations with any government with which the United States have or may have diplomatic relations, to the end that any differences or disputes arising between the two governments which cannot be adjusted by diplomatic agency may be referred to arbitration and peaceably adjusted by such means, and that this house, cordially sympathizing with the purpose in view, expresses the hope that Her Majesty's Government will lend their ready co-operation to the Government of the United States upon the basis of the foregoing resolution.

Her Majesty's Government did, and thence came this treaty.

Mr. President, what revolting hypocrisy we convict ourselves of, if after all this, the first time there comes up a question in which we have an interest, the first time there comes up a question of difference about the meaning of a treaty as to which we fear we may be beaten in an arbitration, we refuse to keep our agreement! Where will be our self-respect if we do that? Where will be that respect to which a great nation is entitled from the other nations of the earth?

I have read from what Congress has said.

Let me read something from President Grant's annual message of December 4, 1871. He is commenting upon the arbitration provisions of the treaty of 1871, in which Great Britain submitted to arbitration our claims against her, known as the Alabama claims, in which Great Britain submitted those claims where she stood possibly to lose, but not possibly to gain anything, and submitted them against the most earnest and violent protest of many of her own citizens. General Grant said:

The year has been an eventful one in witnessing two great nations speaking one language and having one lineage, settling by peaceful arbitration disputes of long standing and liable at any time to bring those nations into costly and bloody conflict. An example has been set which, if successful in its final issue, may be followed by other civilized nations and finally be the means of returning to productive industry millions of men now maintained to settle the disputes of nations by the bayonet and by broadside.

Under the authority of these resolutions our delegates in the first Pan American conference at Washington secured the adoption of this resolution April 18, 1890:

ARTICLE I. The Republics of North, Central and South America hereby adopt arbitration as a principle of American international law for the settlement of the differences, disputes or controversies that may arise between two or more of them.

And this:

The International American Conference resolves that this conference, having recommended arbitration for the settlement of disputes among the Republics of America, begs leave to express the wish that controversies between them and the nations of Europe may be settled in the same friendly manner.

It is further recommended that the Government of each nation herein represented communicate this wish to all friendly powers.

Upon that Mr. Blaine, that most vigorous and virile American, in his address as the presiding officer of that first Pan American conference in Washington said:

If, in this closing hour, the conference had but one deed to celebrate we should dare call the world's attention to the deliberate, confident, solemn dedication of two great continents to peace and to the prosperity which has peace for its foundation. We hold up this new Magna Charta, which abolishes war and substitutes arbitration between the American Republics, as the first and great fruit of the International American Conference. That noblest of Americans, the aged poet and philanthropist, Whittier, is the first to send his salutation and his benediction, declaring, "If in the spirit of peace the American conference agrees upon a rule of arbitration which shall make war in this hemisphere well-nigh impossible, its sessions will prove one of the most important events in the history of the world."

President Arthur in his annual message of December 4, 1882, said, in discussing the proposition for a Pan American conference:

I am unwilling to dismiss this subject without assuring you of my support of any measure the wisdom of Congress may devise for the promotion of peace on this continent and throughout the world, and I trust the time is nigh when, with the universal assent of civilized peoples, all international differences shall be determined without resort to arms by the benignant processes of arbitration.

President Harrison in his message of December 3, 1889, said concerning the Pan American conference:

But while the commercial results which it is hoped will follow this conference are worthy of pursuit and of the great interests they have excited, it is believed that the crowning benefit will be found in the better securities which may be devised for the maintenance of peace among all American nations and the settlement of all contentions by methods that a Christian civilization can approve.

President Cleveland in his message of December 4, 1893, said concerning the resolution of the British Parliament of July 16, 1893, which I have already read, and commenting on the concurrent resolution of February 14 and April 18, 1890:

It affords me signal pleasure to lay this parliamentary resolution before the Congress and to express my sincere gratification that the sentiment of two great kindred nations is thus authoritatively manifested in favor of the rational and peaceable settlement of international quarrels by honorable resort to arbitration.

President McKinley in his message of December 6, 1897, said:

International arbitration cannot be omitted from the list of subjects claiming our consideration. Events have only served to strengthen the general views on this question expressed in my inaugural address. The best sentiment of the civilized world is moving toward the settlement of differences between nations without resorting to the horrors of war. Treaties embodying these humane principles on broad lines without in any way imperiling our interests or our honor shall have my constant encouragement.

President Roosevelt in his message of December 3, 1905, said:

I earnestly hope that the conference—

the second Hague conference—

may be able to devise some way to make arbitration between nations the customary way of settling international disputes in all save a few classes of cases, which should themselves be sharply defined and rigidly limited as the present governmental and social development of the world will permit. If possible, there should be a general arbitration treaty negotiated among all nations represented at the conference.

Oh, Mr. President, are we Pharisees? Have we been insincere and false? Have we been pretending in all these long years of resolution and declaration and proposal and urgency for arbitration? Are we ready now to admit that our country, that its Congresses and its Presidents, have all been guilty of false pretense, of humbug, of talking to the galleries, of fine words to secure applause, and that the instant we have an interest we are ready to falsify every declaration, every promise and every principle? But we must do that if we arrogantly insist that we alone will determine upon the interpretation of this treaty and will refuse to abide by the agreement of our treaty of arbitration.

Mr. President, what is all this for? Is the game worth the candle? Is it worth while to put ourselves in a position and to remain in a position to maintain which we may be driven to repudiate our principles, our professions and our agreements for the purpose of conferring a money benefit,—not very great, not very important, but a money benefit,—at the expense of the Treasury of the United States, upon the most highly and absolutely protected special industry in the United States? Is it worth while? We refuse to help our foreign shipping, which is in competition with the lower wages and the lower standard of living of foreign countries, and we are proposing to do this for a part of our coastwise shipping which has now by law the absolute protection of a statutory monopoly and which needs no help.

Mr. President, there is but one alternative consistent with self-respect. We must arbitrate the interpretation of this treaty or we must retire from the position we have taken.

O Senators, consider for a moment what it is that we are doing. We all love our country; we are all proud of its history; we are all full of hope and courage for its future; we love its good name; we

desire for it that power among the nations of the earth which will enable it to accomplish still greater things for civilization than it has accomplished in its noble past. Shall we make ourselves in the minds of the world like unto the man who in his own community is marked as astute and cunning to get out of his obligations? Shall we make ourselves like unto the man who is known to be false to his agreements, false to his pledged word? Shall we have it understood the whole world over that "you must look out for the United States or she will get the advantage of you"; that we are clever and cunning to get the better of the other party to an agreement, and that at the end—

Mr. BRANDEGEE. "Slippery" would be a better word.

Mr. ROOT. Yes; I thank the Senator for the suggestion—"slippery." Shall we in our generation add to those claims to honor and respect that our fathers have established for our country good cause that we shall be considered slippery?

It is worth while, Mr. President, to be a citizen of a great country, but size alone is not enough to make a country great. A country must be great in its ideals; it must be great-hearted; it must be noble; it must despise and reject all smallness and meanness; it must be faithful to its word; it must keep the faith of treaties; it must be faithful to its mission of civilization in order that it shall be truly great. It is because we believe that of our country that we are proud, aye, that the alien with the first step of his foot upon our soil is proud to be a part of this great democracy.

Let us put aside the idea of small, petty advantage; let us treat this situation and these obligations in our relation to this canal in that large way which befits a great nation.

Mr. President, how sad it would be if we were to dim the splendor of that great achievement by drawing across it the mark of petty selfishness; if we were to diminish and reduce for generations to come the power and influence of this free Republic for the uplifting and the progress of mankind by destroying the respect of mankind for us! How sad it would be if you and I, Senators, were to make ourselves responsible for destroying that bright and inspiring ideal which has enabled free America to lead the world in progress toward liberty and justice!

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### INSTRUCTIONS TO THE AMERICAN DELEGATES TO THE HAGUE CONFERENCES 1899 AND 1907

BY  
HON. JOHN HAY AND HON. ELIHU ROOT  
Secretaries of State

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# INSTRUCTIONS TO THE AMERICAN DELEGATES TO THE HAGUE CONFERENCE, 1899.

MR. HAY TO HON. ANDREW D. WHITE, HON. SETH LOW, HON. STANFORD NEWEL, CAPT. ALFRED T. MAHAN, U. S. N., CAPT. WILLIAM CROZIER, U. S. A., DELEGATES ON THE PART OF THE PRESIDENT OF THE UNITED STATES.

DEPARTMENT OF STATE,  
WASHINGTON, April 18, 1899.

*Gentlemen*,—You have been appointed by the President to constitute a commission to represent him at an international conference called by His Imperial Majesty the Emperor of Russia to meet at The Hague, at a time to be indicated by the Government of the Netherlands, for the purpose of discussing the most efficacious means of assuring to all peoples the “benefits of a real and durable peace.”

Upon your arrival at The Hague you will effect an organization of your commission, whose records will be kept by your secretary, Hon. Frederick W. Holls. All reports and communications will be made through this Department, according to its customary forms, for preservation in the archives.

The program of topics suggested by the Russian minister of foreign affairs for discussion at the Conference in his circular of December 30, 1898, is as follows:

1. An understanding stipulating the non-augmentation, for a term to be agreed upon, of the present effective armed land and sea forces, as well as the war budgets pertaining to them; preliminary study of the ways in which even a reduction of the aforesaid effectives and budgets could be realized in the future.
2. Interdiction of the employment in armies and fleets of new firearms of every description and of new explosives, as well as powder more powerful than the kinds used at present, both for guns and cannons.
3. Limitation of the use in field fighting of explosives of a formidable power, such as now in use, and prohibition of the discharge of any kind of projectiles or explosives from balloons or by similar means.
4. Prohibition of the use in naval battles of submarine or diving torpedo boats, or of other engines of destruction of the same nature; agreement not to construct in the future war ships armed with rams.
5. Adaptation to naval war of the stipulation of the Geneva Convention of 1864, on the base of the additional articles of 1868.
6. Neutralization, for the same reason, of boats or launches employed in the rescue of the shipwrecked during or after naval battles.

7. Revision of the declaration concerning the laws and customs of war elaborated in 1874 by the Conference of Brussels, and not yet ratified.

8. Acceptance, in principle, of the use of good offices, mediation, and voluntary arbitration, in cases where they are available, with the purpose of preventing armed conflicts between nations; understanding in relation to their mode of application and establishment of a uniform practice in employing them.

It is understood that all questions concerning the political relations of States and the order of things established by treaties, as in general all the questions which shall not be included directly in the program adopted by the cabinets, should be absolutely excluded from the deliberations of the Conference.

The first article, relating to the non-augmentation and future reduction of effective land and sea forces, is, at present, so inapplicable to the United States that it is deemed advisable for the delegates to leave the initiative upon this subject to the representatives of those Powers to which it may properly belong. In comparison with the effective forces, both military and naval, of other nations, those of the United States are at present so far below the normal quota that the question of limitation could not be profitably discussed.

The second, third, and fourth articles, relating to the non-employment of firearms, explosives, and other destructive agents, the restricted use of existing instruments of destruction, and the prohibition of certain contrivances employed in naval warfare, seem lacking in practicability, and the discussion of these propositions would probably prove provocative of divergence rather than unanimity of views. It is doubtful if wars are to be diminished by rendering them less destructive, for it is the plain lesson of history that the periods of peace have been longer protracted as the cost and destructiveness of war have increased. The expediency of restraining the inventive genius of our people in the direction of devising means of defense is by no means clear, and, considering the temptations to which men and nations may be exposed in a time of conflict, it is doubtful if an international agreement to this end would prove effective. The dissent of a single powerful nation might render it altogether nugatory. The delegates are, therefore, enjoined not to give the weight of their influence to the promotion of projects the realization of which is so uncertain.

The fifth, sixth, and seventh articles, aiming in the interest of humanity to succor those who by the chance of battle have been rendered helpless, thus losing the character of effective combatants,

or to alleviate their sufferings, or to insure the safety of those whose mission is purely one of peace and beneficence, may well awake the cordial interest of the delegates, and any practicable propositions based upon them should receive their earnest support.

The eighth article, which proposes the wider extension of good offices, mediation and arbitration, seems likely to open the most fruitful field for discussion and future action. "The prevention of armed conflicts by pacific means," to use the words of Count Muravev's circular of December 30, is a purpose well worthy of a great international convention, and its realization in an age of general enlightenment should not be impossible. The duty of sovereign States to promote international justice by all wise and effective means is only secondary to the fundamental necessity of preserving their own existence. Next in importance to their independence is the great fact of their interdependence. Nothing can secure for human government and for the authority of law which it represents so deep a respect and so firm a loyalty as the spectacle of sovereign and independent States, whose duty it is to prescribe the rules of justice and impose penalties upon the lawless, bowing with reverence before the august supremacy of those principles of right which give to law its eternal foundation.

The proposed Conference promises to offer an opportunity thus far unequalled in the history of the world for initiating a series of negotiations that may lead to important practical results. The long-continued and widespread interest among the people of the United States in the establishment of an international court, as evidenced in the historical résumé attached to these instructions as Annex A, gives assurance that the proposal of a definite plan of procedure by this Government for the accomplishment of this end would express the desires and aspirations of this nation. The delegates are, therefore, enjoined to propose, at an opportune moment, the plan for an international tribunal, hereunto attached as Annex B, and to use their influence in the Conference in the most effective manner possible to procure the adoption of its substance or of resolutions directed to the same purpose. It is believed that the disposition and aims of the United States in relation to the other sovereign Powers could not be expressed more truly or opportunely than by an effort of the delegates of this Government to concentrate the attention of the world upon a definite plan for the promotion of international justice.

Since the Conference has its chief reason of existence in the heavy

burdens and cruel waste of war, which nowhere affect innocent private persons more severely or unjustly than in the damage done to peaceable trade and commerce, especially at sea, the question of exempting private property from destruction or capture on the high seas would seem to be a timely one for consideration.

As the United States has for many years advocated the exemption of all private property not contraband of war from hostile treatment, you are authorized to propose to the Conference the principle of extending to strictly private property at sea the immunity from destruction or capture by belligerent Powers which such property already enjoys on land as worthy of being incorporated in the permanent law of civilized nations.

I am, etc.,

JOHN HAY.

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## ANNEX A.

### HISTORICAL RÉSUMÉ.

From time to time in the history of the United States, propositions have been made for the establishment of a system of peaceable adjustment of differences arising between nations. As early as February, 1832, the senate of Massachusetts adopted, by a vote of 19 to 5, a resolution expressing the opinion that "some mode should be established for the amicable and final adjustment of all international disputes instead of resorting to war."

A similar resolution was unanimously passed by the house of representatives of the same State in 1837, and by the senate by a vote of 35 to 5.

A little prior to 1840 there was much popular agitation regarding the convocation of a congress of nations for the purpose of establishing an international tribunal. This idea was commended by resolutions adopted by the legislature of Massachusetts in 1844 and by the legislature of Vermont in 1852.

In February, 1851, Mr. Foote, from the Committee on Foreign Relations, reported to the Senate of the United States a resolution that "in the judgment of this body it would be proper and desirable for the Government of these United States whenever practicable to secure in its treaties with other nations a provision for referring to the decision of umpires all future misunderstandings that cannot be

satisfactorily adjusted by amicable negotiation in the first instance, before a resort to hostilities shall be had."

Two years later Senator Underwood, from the same committee, reported a resolution of advice to the President suggesting a stipulation in all treaties hereafter entered into with other nations referring the adjustment of any misunderstanding or controversy to the decision of disinterested and impartial arbitrators to be mutually chosen.

May 31, 1872, Mr. Sumner introduced into the Senate a resolution in which, after reviewing the historical development of municipal law and the gradual suppression of private war, and citing the progressive action of the Congress of Paris with regard to neutrals, he proposed the establishment of a tribunal to be clothed with such authority as to make it a "complete substitute for war," declaring a refusal to abide by its judgment hostile to civilization, to the end that "war may cease to be regarded as a proper form of trial between nations."

In 1874 a resolution favoring general arbitration was passed by the House of Representatives.

April 1, 1883, a confidential inquiry was addressed to Mr. Frelinghuysen, Secretary of State, by Colonel Frey, then Swiss minister to the United States, regarding the possibility of concluding a general treaty of arbitration between the two countries. Mr. Frelinghuysen, citing the general policy of this country in past years, expressed his disposition to consider the proposition with favor. September 5, 1883, Colonel Frey submitted a draft of a treaty, the reception of which was acknowledged by Mr. Frelinghuysen on the 26th of the same month. This draft, adopted by the Swiss Federal Council July 24, 1883, presented a short plan of arbitration. These negotiations were referred to in the President's Annual Message for 1883, but were not concluded.

In 1888, a communication having been made to the President and Congress of the United States by two hundred and thirty-five members of the British Parliament, urging the conclusion of a treaty of arbitration between the United States and Great Britain, and reinforced by petitions and memorials from multitudes of individuals and associations from Maine to California, great enthusiasm was exhibited in its reception by eminent citizens of New York. As a result of this movement, on June 13, 1888, Mr. Sherman, from the Committee on Foreign Relations, reported to the Senate a joint

Resolution requesting the President "to invite, from time to time, as fit occasions may arise, negotiations with any government with which the United States has or may have diplomatic relations, to the end that the differences or disputes arising between the two governments which cannot be adjusted by diplomatic agency may be referred to arbitration, and be peaceably adjusted by such means."

November 29, 1881, Mr. Blaine, Secretary of State, invited the Governments of the American Nations to participate in a Congress to be held in the city of Washington, November 24, 1882, "for the purpose of considering and discussing the methods of preventing war between the nations of America." For special reasons the enterprise was temporarily abandoned, but was afterwards revived and enlarged in Congress, and an act was passed authorizing the calling of the International American Conference, which assembled in Washington in the autumn of 1889. On April 18, 1890, referring to this plan of arbitration, Mr. Blaine said:

If, in this closing hour, the Conference had but one deed to celebrate, we should dare call the world's attention to the deliberate, confident, solemn dedication of two great continents to peace, and to the prosperity which has peace for its foundation. We hold up this new *Magna Charta*, which abolishes war and substitutes arbitration between the American Republics, as the first and great fruit of the "International American Conference."

The Senate of the United States on February 14, 1890, and the House of Representatives on April 3, 1890, adopted a concurrent resolution in the language reported by Mr. Sherman to the Senate in June, 1888.

July 8, 1895, the French Chamber of Deputies unanimously resolved:

The Chamber invites the Government to negotiate as soon as possible a permanent treaty of arbitration between the French Republic and the Republic of the United States of America.

July 16, 1893, the British House of Commons adopted the following resolution:

*Resolved*, That this House has learnt with satisfaction that both Houses of the United States Congress have, by resolution, requested the President to invite from time to time, as fit occasions may arise, negotiations with any government with which the United States have or may have diplomatic relations, to the end that any differences or disputes arising between the two governments which cannot be adjusted by diplomatic agency may be referred to arbitration and peaceably adjusted by such means; and that this House, cordially sympathizing with the purpose in view, expresses the hope that Her Majesty's Government will lend their ready co-operation to the Government of the United States upon the basis of the foregoing resolution.

December 4, 1893, President Cleveland referred to the foregoing resolution of the British House of Commons as follows:

It affords me signal pleasure to lay this parliamentary resolution before the Congress and to express my sincere gratification that the sentiment of two great and kindred nations is thus authoritatively manifested in favor of the rational and peaceable settlement of international quarrels by honorable resort to arbitration.

These resolutions led to the exchange of communications regarding the conclusion of a permanent treaty of arbitration, suspended from the spring of 1895 to March 5, 1896, when negotiations were resumed which resulted in the signature of a treaty January 11, 1897, between the United States and Great Britain.

In his inaugural address, March 4, 1897, President McKinley said:

Arbitration is the true method of settlement of international as well as local or individual differences. It was recognized as the best means of adjustment of differences between employers and employees by the Forty-ninth Congress in 1886, and its application was extended to our diplomatic relations by the unanimous concurrence of the Senate and House of the Fifty-first Congress in 1890. The latter resolution was accepted as the basis of negotiations with us by the British House of Commons in 1893, and upon our invitation a treaty of arbitration between the United States and Great Britain was signed at Washington and transmitted to the Senate for ratification in January last.

Since this treaty is clearly the result of our own initiative, since it has been recognized as the leading feature of our foreign policy throughout our entire national history—the adjustment of difficulties by judicial methods rather than force of arms—and since it presents to the world the glorious example of reason and peace, not passion and war, controlling the relations between two of the greatest nations of the world, an example certain to be followed by others, I respectfully urge the early action of the Senate thereon, not merely as a matter of policy, but as a duty to mankind. The importance and moral influence of the ratification of such a treaty can hardly be overestimated in the cause of advancing civilization. It may well engage the best thought of the statesmen and people of every country, and I cannot but consider it fortunate that it was reserved to the United States to have the leadership in so grand a work.

The Senate of the United States declined to concur in the ratification of the Treaty of Arbitration with Great Britain, but for reasons which might not affect a general treaty directed toward a similar end.

The publication by this Government of the exhaustive "History and Digest of the International Arbitrations to which the United States has been a Party," by the Hon. John Bassett Moore, late Assistant Secretary of State, a work extending through six volumes, marks a new epoch in the history of arbitration. It places beyond controversy the applicability of judicial methods to a large variety of

international disagreements which have been successfully adjudicated by individual arbitrators or temporary boards of arbitration chosen by the litigants for each case. It also furnishes an exceedingly valuable body of rules of organization and procedure for the guidance of future tribunals of a similar nature. But, perhaps, its highest significance is the demonstration of the superiority of a permanent tribunal over merely special and temporary boards of arbitration, with respect to economy of time and money as well as uniformity of method and procedure.

A history of the various plans for the realization of international justice shows the gradual evolution of clearer and less objectionable conceptions upon this subject. Those of Bluntschli, Lorimer, David Dudley Field and Leone Levi have been long before the public, each containing useful suggestions, but impracticable as a whole. Certain rules for the regulation of the procedure of international tribunals of arbitration were discussed by the Institute of International Law at its sessions at Geneva in 1874 and at The Hague in 1875, and provisional rules were finally approved. Another set of rules was proposed by a select committee of lawyers at the Universal Peace Congress, held in Chicago in 1893. Resolutions of a somewhat elaborate nature were adopted by the Interparliamentary Conference, composed of British and French members of Parliament, at Brussels in 1895. In April, 1896, the Bar Association of the State of New York, at a special meeting held at Albany, adopted a plan for the establishment of a permanent international tribunal. The almost continuous movement of thought in this direction since 1832 has been interrupted only by the late Spanish-American war.

A careful review of all the plans for an international tribunal that have thus far been proposed makes it evident that they have failed from two causes: (1) too great elaboration and complication, involving too many debatable questions; and (2) the absence of an opportune occasion for proposing them to an authoritative international body.

The plan that is to prove successful, if a sufficient number of sovereign States be disposed to adopt any plan whatsoever for an international tribunal, must combine an adequate grasp of the conditions with an extreme simplicity, leaving much to the co-operation of others and the development of the future.

The introduction of a brief resolution at an opportune moment in the proposed Peace Conference would at least place the United States



on record as the friend and promoter of peace. The resolution hereto appended is intended to embody in the briefest and simplest manner the most useful suggestions of all the plans proposed.

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## ANNEX B.

### PLAN FOR AN INTERNATIONAL TRIBUNAL.

*Resolved*, That, in order to aid in the prevention of armed conflicts by pacific means, the representatives of the sovereign Powers assembled together in this Conference be, and hereby are, requested to propose to their respective Governments a series of negotiations for the adoption of a general treaty having for its object the following plan, with such modifications as may be essential to secure the adhesion of at least nine sovereign Powers.

1. The Tribunal shall be composed of judges chosen on account of their personal integrity and learning in international law by a majority of the members of the highest court now existing in each of the adhering States, one from each sovereign State participating in the treaty, and shall hold office until their successors are appointed by the same body.

2. The Tribunal shall meet for organization at a time and place to be agreed upon by the several Governments, but not later than six months after the general treaty shall be ratified by nine Powers, and shall organize itself by the appointment of a permanent clerk and such other officers as may be found necessary, but without conferring any distinction upon its own members. The Tribunal shall be empowered to fix its place of sessions and to change the same from time to time as the interests of justice or the convenience of the litigants may seem to require, and fix its own rules of procedure.

3. The contracting nations will mutually agree to submit to the International Tribunal all questions of disagreement between them, excepting such as may relate to or involve their political independence or territorial integrity. Questions of disagreement, with the aforesaid exceptions, arising between an adherent State and a non-adhering State, or between two sovereign States not adherent to the treaty, may, with the consent of both parties in dispute, be submitted to the International Tribunal for adjudication, upon the condition expressed in article 6.

4. The Tribunal shall be of a permanent character and shall be always open for the filing of cases and counter cases, either by the contracting nations or by others that may choose to submit them, and all cases and counter cases, with the testimony and arguments by which they are to be supported or answered, are to be in writing. All cases, counter cases, evidence, arguments and opinions expressing judgment are to be accessible, after a decision is rendered, to all who desire to pay the necessary charges for transcription.

5. A bench of judges for each particular case shall consist of not less than three nor more than seven, as may be deemed expedient, appointed by the unanimous consent of the Tribunal, and not to include a member who is either a native, subject or citizen of the State whose interests are in litigation in that case.

6. The general expenses of the Tribunal are to be divided equally between the adherent Powers, but those arising from each particular case shall be provided for as may be directed by the Tribunal. The presentation of a case wherein one or both of the parties may be a non-adherent State shall be admitted only upon condition of a mutual agreement that the State against which judgment may be found shall pay, in addition to the judgment, a sum to be fixed by the Tribunal for the expenses of the adjudication.

7. Every litigant before the International Tribunal shall have the right to make an appeal for re-examination of a case within three months after notification of the decision, upon presentation of evidence that the judgment contains a substantial error of fact or law.

8. This treaty shall become operative when nine sovereign States, whereof at least six shall have taken part in the Conference of The Hague, shall have ratified its provisions.

# INSTRUCTIONS TO THE AMERICAN DELEGATES TO THE HAGUE CONFERENCE, 1907.

DEPARTMENT OF STATE,  
WASHINGTON, May 31, 1907.

TO MESSRS. JOSEPH H. CHOATE, HORACE PORTER, URIAH M. ROSE,  
DAVID JAYNE HILL, GEORGE B. DAVIS, CHARLES S. SPERRY,  
AND WILLIAM I. BUCHANAN:

*Gentlemen*,—You have been appointed delegates plenipotentiary to represent the United States at a Second Peace Conference which is to meet at The Hague on the 15th of June, 1907.

The need of such a conference was suggested to the Powers signatory to the acts of The Hague Conference of 1899 by President Roosevelt in a circular note by my predecessor, Mr. Hay, dated October 21, 1904, and the project met with a general expression of assent and sympathy from the Powers; but its realization was postponed because of the then existing war between Japan and Russia. The conclusion of the peace which ended that war presenting a favorable moment for further developing and systematizing the work of the First Conference, the initiative was appropriately transferred to His Imperial Majesty the Emperor of Russia as initiator of the First Conference. The Russian Government proposed that the program of the contemplated meeting should include the following topics:

1. Improvements to be made in the provisions of the convention relative to the peaceful settlement of international disputes as regards the Court of Arbitration and the international commissions of inquiry.

2. Additions to be made to the provisions of the Convention of 1899 relative to the laws and customs of war on land—among others, those concerning the opening of hostilities, the rights of neutrals on land, etc. Declarations of 1899. One of these having expired, question of its being revived.

3. Framing of a convention relative to the laws and customs of maritime warfare, concerning—

The special operations of maritime warfare, such as the bombardment of ports, cities and villages by a naval force; the laying of torpedoes, etc.

The transformation of merchant vessels into war ships.

The private property of belligerents at sea.

The length of time to be granted to merchant ships for their departure from ports of neutrals or of the enemy after the opening of hostilities.

The rights and duties of neutrals at sea; among others, the questions of contraband, the rules applicable to belligerent vessels in neutral ports; destruction, in cases of *vis major*, of neutral merchant vessels captured as prizes.

In the said convention to be drafted, there would be introduced the provisions relative to war on land that would be also applicable to maritime warfare.

4. Additions to be made to the Convention of 1864 for the adaptation to maritime warfare of the principles of the Geneva Convention of 1864.

We are advised by the ambassador of Russia, in a note dated March 22 (April 4), 1907, that all of the Powers have declared their adhesion to this tentative program. The following remarks, however, have been made in respect thereof:

The Government of the United States has reserved to itself the liberty of submitting to the Conference two additional questions, viz., the reduction or limitation of armaments and the attainment of an agreement to observe some limitations upon the use of force for the collection of ordinary public debts arising out of contracts.

The Spanish Government has expressed a desire to discuss the limitation of armaments.

The British Government has given notice that it attaches great importance to having the question of expenditures for armament discussed at the Conference, and has reserved to itself the right of raising it.

The Governments of Bolivia, Denmark, Greece and the Netherlands have reserved to themselves, in a general way, the right to submit to the consideration of the Conference subjects not specially enumerated in the program.

Several Governments have reserved the right to take no part in any discussion which may appear unlikely to produce any useful result.

The Russian note proposing the program declared that the deliberations of the contemplated meetings should not deal with the political relations of the different States or the condition of things established by treaties; and that neither the solution of the questions brought up for discussion nor the order of their discussion, nor the form to be given to the decisions reached, should be determined in advance of the Conference. We understand this view to have been accepted.

In regard to the two questions which were not included in the proposed program, but which the United States has reserved the right to present to the Conference, we understand that notice of the reservation has been communicated to all the Powers by note similar to that from the Russian ambassador dated March 22 (April 4), 1907;

so that each Power has had full opportunity to instruct its delegates in respect thereof. The United States understands that as to the topics included in the program the acceptance of the program involves a determination that such topics shall be considered by the Conference, subject to the reserved rights of particular Powers to refrain from discussion of any topic as to which it deems that discussion will not be useful, but that, as to the two topics which we have reserved the right to present, there has been no determination one way or the other; the question whether they shall be considered by the Conference remaining for the determination of the Conference itself in case they shall be presented.

It is not expedient that you should be limited by too rigid instructions upon the various questions which are to be discussed, for such a course, if pursued generally with all the delegates, would make the discussion useless and the Conference a mere formality. You will, however, keep in mind the following observations regarding the general policy of the United States upon these questions:

1. In the discussions upon every question it is important to remember that the object of the Conference is agreement, and not compulsion. If such conferences are to be made occasions for trying to force nations into positions which they consider against their interests, the Powers cannot be expected to send representatives to them. It is important also that the agreements reached shall be genuine and not reluctant. Otherwise, they will inevitably fail to receive approval when submitted for the ratification of the Powers represented. Comparison of views and frank and considerate explanation and discussion may frequently resolve doubts, obviate difficulties, and lead to real agreement upon matters which at the outset have appeared insurmountable. It is not wise, however, to carry this process to the point of irritation. After reasonable discussion, if no agreement is reached, it is better to lay the subject aside, or refer it to some future conference in the hope that intermediate consideration may dispose of the objections. Upon some questions where an agreement by only a part of the Powers represented would in itself be useful, such an agreement may be made, but it should always be with the most unreserved recognition that the other Powers withhold their concurrence with equal propriety and right.

The immediate results of such a conference must always be limited to a small part of the field which the more sanguine have hoped to see covered; but each successive conference will make the positions

reached in the preceding conference its point of departure, and will bring to the consideration of further advances toward international agreement opinions affected by the acceptance and application of the previous agreements. Each conference will inevitably make further progress, and, by successive steps, results may be accomplished which have formerly appeared impossible.

You should keep always in mind the promotion of this continuous process through which the progressive development of international justice and peace may be carried on; and you should regard the work of the Second Conference, not merely with reference to the definite results to be reached in that Conference, but also with reference to the foundations which may be laid for further results in future conferences. It may well be that among the most valuable services rendered to civilization by this Second Conference will be found the progress made in matters upon which the delegates reach no definite agreement.

With this view, you will favor the adoption of a resolution by the Conference providing for the holding of further conferences within fixed periods and arranging the machinery by which such conferences may be called, and the terms of the program may be arranged, without awaiting any new and specific initiative on the part of the Powers or any one of them.

Encouragement for such a course is to be found in the successful working of a similar arrangement for international conferences of the American Republics. The Second American Conference, held in Mexico in 1901-2, adopted a resolution providing that a third conference should meet within five years and committed the time and place and the program and necessary details to the Department of State and representatives of the American States in Washington. Under this authority the Third Conference was called and held in Rio de Janeiro in the summer of 1906, and accomplished results of substantial value. That Conference adopted the following resolution:

The Governing Board of the International Bureau of American Republics (composed of the same official representatives in Washington) is authorized to designate the place at which the Fourth International Conference shall meet, which meeting shall be within the next five years; to provide for the drafting of the program and regulations and to take into consideration all other necessary details; and to set another date in case the meeting of the said conference cannot take place within the prescribed limit of time.

There is no apparent reason to doubt that a similar arrangement for successive general international conferences of all the civilized Powers

would prove as practicable and as useful as in the case of the twenty-one American States.

2. The policy of the United States to avoid entangling alliances and to refrain from any interference or participation in the political affairs of Europe must be kept in mind, and may impose upon you some degree of reserve in respect of some of the questions which are discussed by the Conference.

In the First Conference the American delegates accompanied their vote upon the report of the committee regarding the limitation of armaments by the following declaration:

That the United States, in so doing, does not express any opinion as to the course to be taken by the States of Europe. This declaration is not meant to indicate mere indifference to a difficult problem, because it does not affect the United States immediately, but expresses a determination to refrain from enunciating opinions upon matters into which, as concerning Europe alone, the United States has no claim to enter. The words drawn up by M. Bourgeois, and adopted by the first commission, received also the cordial interest and sympathy with which the United States, while carefully abstaining from anything that might resemble interference, regards all movements that are thought to tend to the welfare of Europe.

Before signing the arbitration convention of the First Conference, the delegates of the United States put upon record the following declaration:

Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions or policy or internal administration of any foreign State; nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions.

These declarations have received the approval of this Government, and they should be regarded by you as illustrating the caution which you are to exercise in preventing our participation in matters of general and world-wide concern from drawing us into the political affairs of Europe.

3. The attitude of the United States as to consideration of the subject of limiting armaments was stated in a letter from the Secretary of State to the Russian ambassador dated June 7, 1906. That letter, after expressing assent to the enumeration of topics in the Russian program, proceeded to say:

The Government of the United States is, however, so deeply in sympathy with the noble and humanitarian views which moved His Imperial Majesty to the calling of the First Peace Conference that it would greatly regret to see those

views excluded from the consideration of the Second Conference. [Quoting from the call for the First Conference.]

The truth and value of the sentiments thus expressed are surely independent of the special conditions and obstacles to their realization by which they may be confronted at any particular time. It is true that the First Conference at The Hague did not find it practicable to give them effect, but long-continued and patient effort has always been found necessary to bring mankind into conformity with great ideals. It would be a misfortune if that effort, so happily and magnanimously inaugurated by His Imperial Majesty, were to be abandoned.

This Government is not unmindful of the fact that the people of the United States dwell in comparative security, partly by reason of their isolation and partly because they have never become involved in the numerous questions to which many centuries of close neighborhood have given rise in Europe. They are, therefore, free from the apprehensions of attack which are to so great an extent the cause of great armaments, and it would ill become them to be insistent or forward in a matter so much more vital to the nations of Europe than to them. Nevertheless, it sometimes happens that the very absence of a special interest in a subject enables a nation to make suggestions and urge considerations which a more deeply interested nation might hesitate to present. The Government of the United States, therefore, feels it to be its duty to reserve for itself the liberty to propose to the Second Peace Conference, as one of the subjects of consideration, the reduction or limitation of armaments, in the hope that, if nothing further can be accomplished, some slight advance may be made toward the realization of the lofty conception which actuated the Emperor of Russia in calling the First Conference.

### The First Conference adopted the following resolutions:

The Conference is of opinion that the restriction of military charges, which are at present a heavy burden on the world, is extremely desirable for the increase of the material and moral welfare of mankind.

The Conference expresses the wish that the Governments, taking into consideration the proposals made at the Conference, may examine the possibility of an agreement as to the limitation of armed forces by land and sea and of war budgets.

Under these circumstances this Government has been and still is of the opinion that this subject should be regarded as unfinished business, and that the Second Conference should ascertain and give full consideration to the results of such examination as the Governments may have given to the possibility of an agreement pursuant to the wish expressed by the First Conference. We think that there should be a sincere effort to learn whether, by conference and discussion, some practicable formula may not be worked out which would have the effect of limiting or retarding the increase of armaments.

There is, however, reason to believe not only that there has been the examination by the respective Governments for which the First Conference expressed a wish, but that the discussion of its results has been forestalled by a process of direct communication between a



majority of the Governments having the greatest immediate interest in the subject. These communications have been going on actively among the different Governments for nearly a year, and as a result at least four of the European Powers have announced their unwillingness to continue the discussion in the Conference. We regret that the discussion should have taken place in this way rather than at the Conference, for we are satisfied that a discussion at the Conference would have afforded a greater probability of progress toward the desired result. The fact, however, cannot be ignored.

If any European power proposes consideration of the subject, you will vote in favor of consideration and do everything you properly can to promote it. If, on the other hand, no European Power proposes consideration of the subject, and no new and affirmative evidence is presented to satisfy you that a useful purpose would be subserved by your making such a proposal, you may assume that the limitations above stated by way of guidance to your action preclude you from asking the Conference to consider the subject.

4. The other subject which the United States specifically reserved the right to propose for consideration is the attainment of an agreement to observe some limitation upon the use of force for the collection of ordinary public debts arising out of contract.

It has long been the established policy of the United States not to use its Army and Navy for the collection of ordinary contract debts due to its citizens by other Governments. This Government has not considered the use of force for such a purpose consistent with that respect for the independent sovereignty of other members of the family of nations which is the most important principle of international law and the chief protection of weak nations against the oppression of the strong. It seems to us that the practice is injurious in its general effect upon the relation of nations and upon the welfare of weak and disordered States, whose development ought to be encouraged in the interests of civilization; that it offers frequent temptation to bullying and oppression and to unnecessary and unjustifiable warfare. It is doubtless true that the non-payment of such debts may be accompanied by such circumstances of fraud and wrongdoing or violation of treaties as to justify the use of force; but we should be glad to see an international consideration of this subject which would discriminate between such cases and the simple non-performance of a contract with a private person, and a resolution in favor of reliance upon peaceful means in cases of the latter class.

The Third International Conference of the American States, held at Rio de Janeiro in August, 1906, resolved:

To recommend to the Governments therein that they consider the point of inviting the Second Peace Conference at The Hague to examine the question of the compulsory collection of public debts, and, in general, means tending to diminish between nations conflicts having a peculiarly pecuniary origin.

You will ask for the consideration of this subject by the Conference. It is not probable that in the first instance all the nations represented at the Conference will be willing to go as far in the establishment of limitations upon the use of force in the collection of this class of debts as the United States would like to have them go, and there may be serious objection to the consideration of the subject as a separate and independent topic. If you find such objections insurmountable, you will urge the adoption of provisions under the head of arbitration looking to the establishment of such limitations. The adoption of some such provision as the following may be suggested, and, if no better solution seems practicable, should be urged:

The use of force for the collection of a contract debt alleged to be due by the Government of any country to a citizen of any other country is not permissible until after—

1. The justice and amount of the debt shall have been determined by arbitration, if demanded by the alleged debtor.

2. The time and manner of payment, and the security, if any, to be given pending payment, shall have been fixed by arbitration, if demanded by the alleged debtor.

5. In the general field of arbitration two lines of advance are clearly indicated. The first is to provide for obligatory arbitration as broad in scope as now appears to be practicable, and the second is to increase the effectiveness of the system, so that nations may more readily have recourse to it voluntarily.

You are familiar with the numerous expressions in favor of the settlement of international disputes by arbitration on the part both of the Congress and of the Executive of the United States.

So many separate treaties of arbitration have been made between individual countries that there is little cause to doubt that the time is now ripe for a decided advance in this direction. This condition, which brings the subject of a general treaty for obligatory arbitration into the field of practical discussion, is undoubtedly largely due to the fact that the Powers generally in the First Hague Conference committed themselves to the principle of the pacific settlement of

international questions in the admirable convention for voluntary arbitration then adopted.

The Rio Conference of last summer provided for the arbitration of all pecuniary claims among the American States. This convention has been ratified by the President, with the advice and consent of the Senate.

In December, 1904, and January, 1905, my predecessor, Mr. Hay, concluded separate arbitration treaties between the United States and Great Britain, France, Germany, Spain, Portugal, Italy, Switzerland, Austria-Hungary, Sweden and Norway, and Mexico. On the 11th of February, 1905, the Senate advised and consented to the ratification of these treaties, with an amendment which has had the effect of preventing the exchange of ratifications. The amendment, however, did not relate to the scope or character of the arbitration to which the President had agreed and the Senate consented. You will be justified, therefore, in assuming that a general treaty of arbitration in the terms, or substantially in the terms, of the series of treaties which I have mentioned will meet the approval of the Government of the United States. The first article of each of these treaties was as follows:

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

To this extent you may go in agreeing to a general treaty of arbitration, and to secure such a treaty you should use your best and most earnest efforts.

Such a general treaty of arbitration necessarily leaves to be determined in each particular case what the questions at issue between the two Governments are, and whether those questions come within the scope of the treaty or within the exceptions, and what shall be the scope of the powers of the arbitrators. The Senate amendment which prevented the ratification of each of these treaties applied only to another article of the treaty which provided for special agreements in regard to these matters and involved only the question who should act for the United States in making such special agreements. To avoid having the same question arise regarding any general treaty

of arbitration which you may sign at The Hague, your signature should be accompanied by an explanation substantially as follows:

In signing the general arbitration treaty the delegates of the United States desire to have it understood that the special agreements provided for in article — of said treaty will be subject to submission to the Senate of the United States.

The method in which arbitration can be made more effective, so that nations may be more ready to have recourse to it voluntarily and to enter into treaties by which they bind themselves to submit to it, is indicated by observation of the weakness of the system now apparent. There can be no doubt that the principal objection to arbitration rests not upon the unwillingness of nations to submit their controversies to impartial arbitration, but upon an apprehension that the arbitrations to which they submit may not be impartial. It has been a very general practice for arbitrators to act, not as judges deciding questions of fact and law upon the record before them under a sense of judicial responsibility, but as negotiators effecting settlements of the questions brought before them in accordance with the traditions and usages and subject to all the considerations and influences which affect diplomatic agents. The two methods are radically different, proceed upon different standards of honorable obligation, and frequently lead to widely differing results. It very frequently happens that a nation which would be very willing to submit its differences to an impartial judicial determination is unwilling to subject them to this kind of diplomatic process. If there could be a tribunal which would pass upon questions between nations with the same impartial and impersonal judgment that the Supreme Court of the United States gives to questions arising between citizens of the different States, or between foreign citizens and the citizens of the United States, there can be no doubt that nations would be much more ready to submit their controversies to its decision than they are now to take the chances of arbitration. It should be your effort to bring about in the Second Conference a development of The Hague Tribunal into a permanent tribunal composed of judges who are judicial officers and nothing else, who are paid adequate salaries, who have no other occupation, and who will devote their entire time to the trial and decision of international causes by judicial methods and under a sense of judicial responsibility. These judges should be so selected from the different countries that the different systems of law and procedure and the principal languages shall be fairly represented.

The court should be made of such dignity, consideration and rank that the best and ablest jurist will accept appointment to it, and that the whole world will have absolute confidence in its judgments.

The arbitration convention signed at the First Hague Conference contained no authority for the adherence of non-signatory Powers, but provided:

The conditions on which the Powers who were not represented at the International Peace Conference can adhere to the present convention shall form the subject of a separate agreement among the contracting Powers.

This left all the Central and South American States outside of the treaty. The United States has from time to time endeavored to secure an opportunity for them to adhere, and it has now been arranged that this shall be accomplished as a necessary preliminary to their taking part in the Second Conference. The method arranged is that on the day before the opening of the Conference a protocol shall be signed by the representatives of all the Powers signatory to the treaty substantially as follows:

The representatives at the Second Peace Conference of the States signatories of the Convention of 1899 relative to the peaceful settlement of international disputes, duly authorized to that effect, have agreed that in case the States that were not represented at the First Peace Conference, but have been convoked to the present Conference, should notify the Government of the Netherlands of their adhesion to the above-mentioned convention they shall be forthwith considered as having acceded thereto.

It is understood that substantially all the Central and South American States have notified the Government of the Netherlands of their adherence to the convention, and upon the signing of this protocol their notices will immediately take effect and they will become parties competent to take part in the discussions of the Second Conference looking toward the amendment and extension of the arbitration convention. You will sign the protocol in behalf of the United States pursuant to the full powers already given you.

6. You will maintain the traditional policy of the United States regarding the immunity of private property of belligerents at sea.

On the 28th of April, 1904, the Congress of the United States adopted the following resolution:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress of the United States that it is desirable, in the interest of uniformity of action by the maritime states of the world in time of war, that the President endeavor to bring about an understanding among the principal maritime powers with a view of incorporating*

into the permanent law of civilized nations the principle of the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerents. Approved April 28, 1904.

This resolution is an expression of the view taken by the United States during its entire history. Such a provision was incorporated in the Treaty of 1785 with Prussia, signed by Benjamin Franklin, Thomas Jefferson and John Adams, and it was proposed by the United States as an amendment to be added to the privateering clause of the Declaration of Paris in 1856. The refusal of the other Powers to accompany prohibition of privateering by such a provision caused the Government of the United States to refuse its adherence to the declaration.

The Congressional resolution was in response to the recommendation of President Roosevelt's message to Congress in December, 1903, quoting and enforcing a previous message by President McKinley in December, 1898, which said:

The United States Government has for many years advocated this humane and beneficent principle, and is now in a position to recommend it to other Powers without the imputation of selfish motives.

Whatever may be the apparent specific interest of this or any other country at the moment, the principle thus declared is of such permanent and universal importance that no balancing of the chances of probable loss or gain in the immediate future on the part of any nation should be permitted to outweigh the considerations of common benefit to civilization which call for the adoption of such an agreement.

In the First Peace Conference the subject of the immunity of private property at sea was not included in the program. Consideration of it was urged by the delegates of the United States and was supported by an able presentation on the part of Mr. Andrew D. White. The representatives of several of the great Powers declared, however, that in the absence of instructions from their Governments they could not vote upon the subject; and, under the circumstances, we must consider that gratifying progress was made when there was included in the final act of the Conference a resolution expressing—

The wish that the proposal which contemplates the declaration of the inviolability of private property in naval warfare may be referred to a subsequent conference for consideration.

The subject has accordingly been included in the present program and the way is open for its consideration.

It will be appropriate for you to advocate the proposition formulated and presented by the American delegates to the First Conference, as follows:

The private property of all citizens or subjects of the signatory Powers, with the exception of contraband of war, shall be exempt from capture or seizure on the high seas, or elsewhere by the armed vessels or by the military forces of any of the said signatory Powers. But nothing herein contained shall extend exemption from seizure to vessels and their cargoes which may attempt to enter a port blockaded by the naval forces of any of the said Powers.

7. Since the code of rules for the government of military operations on land was adopted by the First Peace Conference there have been occasions for its application under very severe conditions, notably in the South African war and the war between Japan and Russia. Doubtless the Powers involved in those conflicts have had occasion to observe many particulars in which useful additions or improvements might be made. You will consider their suggestions with a view to reducing, so far as is practicable, the evils of war and protecting the rights of neutrals.

As to the framing of a convention relative to the customs of maritime warfare, you are referred to the naval war code promulgated in General Orders 551 of the Navy Department of June 27, 1900, which has met with general commendation by naval authorities throughout the civilized world, and which, in general, expresses the views of the United States, subject to a few specific amendments suggested in the volume of International Law Discussions of the Naval War College of the year 1903, pages 91 to 97. The order putting this code into force was revoked by the Navy Department in 1904, not because of any change of views as to the rules which it contained, but because many of those rules, being imposed upon the forces of the United States by the order, would have put our naval forces at a disadvantage as against the forces of other Powers, upon whom the rules were not binding. The whole discussion of these rules contained in the volume to which I have referred is commended to your careful study.

You will urge upon the Peace Conference the formulation of international rules for war at sea and will offer the naval war code of 1900, with the suggested changes and such further changes as may be made necessary by other agreements reached at the Conference, as a tentative formulation of the rules which should be considered.

8. The clause of the program relating to the rights and duties of neutrals is of very great importance and in itself would furnish

matter for useful discussion sufficient to occupy the time and justify the labors of the Conference.

The various subjects which the Conference may be called upon to consider are likely to bring out proposals which should be considered in their relation to each other, as standing in the following order of substantial importance:

- (1) Provisions tending to prevent disagreements between nations.
- (2) Provisions tending to dispose of disagreements without war.
- (3) Provisions tending to preserve the rights and interests of neutrals.
- (4) Provisions tending to mitigate the evils of war to belligerents.

The relative importance of these classes of provisions should always be kept in mind. No rules should be adopted for the purpose of mitigating the evils of war to belligerents which will tend strongly to destroy the rights of neutrals, and no rules should be adopted regarding the rights of neutrals which will tend strongly to bring about war. It is of the highest importance that not only the rights, but the duties of neutrals shall be most clearly and distinctly defined and understood, not only because the evils which belligerent nations bring upon themselves ought not to be allowed to spread to their peaceful neighbors and inflict unnecessary injury upon the rest of mankind, but because misunderstandings regarding the rights and duties of neutrals constantly tend to involve them in controversy with one or the other belligerent.

For both of these reasons, special consideration should be given to an agreement upon what shall be deemed to constitute contraband of war. There has been a recent tendency to extend widely the list of articles to be treated as contraband; and it is probable that, if the belligerents themselves are to determine at the beginning of a war what shall be contraband, this tendency will continue until the list of contraband is made to include a large proportion of all the articles which are the subject of commerce, upon the ground that they will be useful to the enemy. When this result is reached, especially if the doctrine of continuous voyages is applied at the same time, the doctrine that free ships make free goods and the doctrine that blockades in order to be binding must be effective, as well as any rule giving immunity to the property of belligerents at sea, will be deprived of a large part of their effect, and we shall find ourselves going backward instead of forward in the effort to prevent every war from becoming universally disastrous. The exception of contra-



band of war in the Declaration of Paris will be so expanded as to very largely destroy the effect of the declaration. On the other hand, resistance to this tendency toward the expansion of the list of contraband ought not to be left to the neutrals affected by it at the very moment when war exists, because that is the process by which neutrals become themselves involved in war. You should do all in your power to bring about an agreement upon what is to constitute contraband; and it is very desirable that the list should be limited as narrowly as possible.

With these instructions there will be furnished to you copies of the diplomatic correspondence relating to the Conference, the instructions to the delegates to the First Conference which are in all respects reaffirmed and their report, the international law discussions of the Naval War College of 1903, the report of the American delegates to the Conference of the American Republics at Rio de Janeiro in 1906, and the report of the American delegates to the Geneva Conference of 1906 for the revision of the Red Cross Convention of 1864.

Following the precedent established by the commission to the First Conference, all your reports and communications to this Government will be made to the Department of State for proper consideration and eventual preservation in the archives. The records of your commission will be kept by your secretary, Mr. Chandler Hale. Should you be in doubt at any time regarding the meaning or effect of these instructions, or should you consider at any time that there is occasion for special instructions, you will communicate freely, with the Department of State by telegraph. It is the President's earnest wish that you may contribute materially to the effective work of the Conference and that its deliberations may result in making international justice more certain and international peace more secure.

I am, gentlemen, your obedient servant,

ELIHU ROOT.

[NOTE. These instructions by Secretary Hay and Secretary Root to our American delegates to the First and Second Hague Conferences are published here together, on the eve of our preparations for the Third Conference, to promote careful study and discussion of what has been achieved and what should now be aimed at.]

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# World Peace Foundation

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## WASHINGTON, JEFFERSON AND FRANKLIN ON WAR

BY

EDWIN D. MEAD

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# WASHINGTON, JEFFERSON AND FRANKLIN ON WAR.\*

By EDWIN D. MEAD.

Independence for the sake of independence, a new nation for the sake of a new nation,—that was not the aim and motive of the founders of this American Republic. Their dream was of a new nation of juster institutions and more equal laws, a nation in which should dwell righteousness, and which should mark the beginning of a new era among men. It should be especially an era of peace and brotherhood among the nations. They hated war. They believed that the time had come when the bloody dispensation of war, with all its terrible wickedness and waste, should cease; and their ambition and high hope was that their new republic might lead in the new dispensation of peace and order and mutual regard. This abhorrence of war was a cardinal and controlling sentiment with the men who achieved our independence; and no eloquence can be so powerful and persuasive as the simple presentation of their words.

We call Samuel Adams the "Father of the American Revolution." He first clearly foresaw it, and he did most in the days before 1775 to determine its character and direct its course. Of all the statesmen of the Revolution he was the one whose views were closest to those of the great author of the Declaration of Independence. When in 1801 Jefferson prepared his inaugural address as president, he wrote to our venerable Boston patriot: "In meditating the matter of that address, I often asked myself, Is this exactly in the spirit of the patriarch of liberty, Samuel Adams? Is it as he would express it? Will he approve of it? I have felt a great deal for our country in the times we have seen, but individually for no one so much as yourself." Among the manuscripts of Samuel Adams there exists one of the most remarkable and prophetic documents of that prophetic time. Whether it ever became a legislative act we do not know; but it is in the form

\*From an address on "The Principles of the Founders" before the City Government and Citizens of Boston in Faneuil Hall, July 4, 1903.

of a letter of instructions from the Legislature of Massachusetts to the delegates in Congress, and it apparently belongs to the period between the close of the Revolution and the adoption of the Constitution. The General Court in this letter declares the instruction to be one "which they have long had in contemplation, and which, if their most ardent wish could be obtained, might in its consequences extensively promote the happiness of man." The instruction is as follows:

"You are hereby instructed and urged to move the United States in Congress assembled to take into their deep and most serious consideration, whether any measures can by them be used, through their influence with such of the nations in Europe as they are united with by treaties of amity or commerce, that national differences may be settled and determined without the necessity of war, in which the world has too long been deluged, to the destruction of human happiness and the disgrace of human reason and government."

If it was found that no definite action could then be taken, it was urged that it would redound to the honor of the United States, that its Congress attended to this subject, and that it would be accepted as a testimony of gratitude to God for his signal blessings upon the States; and the delegates were instructed to have the letter entered in the Journals of Congress, to remain for the inspection of delegates from Massachusetts in future time.

This proposition from the Father of the American Revolution—whose severe general exposures of the banefulness and inconsistency of militarism in democracy are so well known—for some regular and permanent arrangement for international arbitration among the nations of Christendom, to make an end of war, was penned more than a century before the similar proposition of the Czar of Russia resulted in the Conference at The Hague and the establishment of the Permanent International Tribunal, whose creation is the distinctive historical event and the crowning glory of the present age.

Washington, Franklin and Jefferson,—these are the three names of world-wide fame in connection with the achievement of our independence and the birth of the nation. What was their attitude toward war and the military system? What was their ideal and desire for the United States? By fortunate fatality, the history of Jefferson's administration has been written by a descendant of John Adams, the great defender of the Declaration of Independence on the floor of Congress; and nowhere else have the political purposes and

aspirations of the great author of the Declaration been so well stated briefly as by Henry Adams in this history:

Jefferson aspired beyond the ambition of a nationality, and embraced in his view the whole future of man. That the United States should become a nation like France, England or Russia, or should conquer the world like Rome, was no part of his scheme. He wished to begin a new era. Hoping for a time when the world's ruling interests should cease to be local and should become universal; when questions of boundary and nationality should become insignificant; when armies and navies should be reduced to the work of police,—he set himself to the task of governing with this golden age in view. Few men have dared to legislate as though eternal peace were at hand, in a world torn by wars and convulsions and drowned in blood; but this was what Jefferson aspired to do. Even in such dangers, he believed that Americans might safely set an example which the Christian world should be led by interest to respect and at length to imitate. As he conceived a true American policy, war was a blunder, an unnecessary risk; and even in case of robbery and aggression, the United States, he believed, had only to stand on the defensive in order to obtain justice in the end. He would not consent to build up a new nationality merely to create more navies and armies, to perpetuate the crimes and follies of Europe; the central government at Washington should not be permitted to indulge in the miserable ambitions that had made the Old World a hell and frustrated the hopes of humanity.

To Thomas Pinckney, in 1797, Jefferson wrote a word which suggests an utterance of John Bright's fourscore years afterward giving the truth a broader application to the United States and her opportunity as the great peace power of the world. Wrote Jefferson to Pinckney: "War is not the best engine for us to resort to. Nature has given us one in *our commerce*, which, if properly managed, will be a better instrument for obliging the interested nations of Europe to treat us with justice." John Bright, in the House of Commons, in 1879, speaking by interesting coincidence on the Fourth of July, set forth to England and the nations of Europe the folly of their burdensome armaments and exhausting taxation, and the terrible disadvantage under which they labored in competition with the United States, unhampered as she was by such taxation, by costly armies and navies, and a "spirited foreign policy." Her resources were all free for constructive purposes. If the United States persisted in her political wisdom and commercial common sense for a quarter of a century, the nations of Europe would be compelled, he believed, to throw over their costly military system in mere commercial self-protection. Incredible to the great English statesman and lover of America would have been the intimation that before the quarter of a century rolled by we should see the growth among us of a movement recklessly seeking to throw away this very commercial advantage and our chief lever for pressing forward the disarmament

and peace of the nations; incredible that we, too, should be wasting hundreds of millions on needless and wicked wars, we, too, shouting for a "big navy" and organizing "navy leagues," descending to meet the nations of Europe on their own terms and plane instead of forcing them up to ours, tempted to put on their hoary old plumes and arms and false prides and ambitions just when the best minds among themselves are striving so earnestly to make them put them off.

One year after his letter to Thomas Pinckney, Jefferson, in a letter to Sir John Sinclair, gave memorable expression to his abhorrence of the war system. "I recoil with horror," he said, "at the ferociousness of man. Will nations never devise a more rational umpire of differences than force? Are there no means of coercing injustice more gratifying to our nature than a waste of the blood of thousands and of the labor of millions of our fellow-creatures? Wonderful has been the progress of human improvement in other lines. Let us hope, then, that the law of nature, which makes a virtuous conduct produce benefit and vice loss to the agent in the long run, which has sanctioned the common principle that honesty is the best policy, will in time influence the proceedings of nations as well as individuals, and that we shall at length be sensible that war is an instrument *entirely inefficient towards redressing wrong; that it multiplies instead of indemnifying losses.*" And in this striking passage he proceeds to urge the economic argument against war: "Had the money which has been spent in the present war in Europe been employed in making roads and conducting canals of navigation and irrigation through the country, not a hovel in the Highlands of Scotland or mountains of Auvergne would have been without a boat at its door, a rill of water in every field, and a road to its market town. . . . A war would cost us more than would cut through the isthmus of Darien; and that of Suez might have been opened with what a single year has seen thrown away on the rock of Gibraltar." The word comes with new and added force just as we are preparing to cut through that isthmus of Darien by the taxation of the people, after wasting three times its cost in damaging and demoralizing war.

Jefferson became an honorary member of the Massachusetts Peace Society almost immediately upon its founding, and his letters to Noah Worcester, the founder of the society,—especially his treatment of wars as the duels of nations and his prophecy that they would run the same course and come to the same end as duelling among gentlemen,—are among the most significant papers in the first volume of



the Peace Society's journal, "The greatest of human evils,"—that was Jefferson's verdict upon war.

It was to Jefferson that the new Republican party appealed and dedicated itself in its Philadelphia platform of 1856; it declared its purpose to restore the action of the Federal government to "the principles of Washington and Jefferson." Abraham Lincoln, the year before his election as President, wrote to a great Republican gathering in Boston to celebrate Jefferson's birthday:

The principles of Jefferson are the definitions and axioms of free society. And yet they are denied and evaded, with no small show of success. One dashing call them "glittering generalities," another bluntly calls them "self-evident lies," and others insidiously argue that they apply to "superior races." These expressions, differing in form, are identical in object and effect—the supplanting the principles of free government, and restoring those of classification, caste and legitimacy. They would delight a convocation of crowned heads plotting against the people. They are the vanguard, the miners and sappers of returning despotism. We must repulse them, or they will subjugate us. This is a world of compensation; and he who would be no slave must consent to have no slave. Those who deny freedom to others deserve it not for themselves, and under a just God cannot long retain it. All honor to Jefferson—to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast and capacity to introduce into a merely revolutionary document an abstract truth applicable to all men and all times, and so to embalm it there that to-day and in all coming days it shall be a rebuke and a stumbling-block to the very harbingers of reappearing tyranny and oppression.

Could the words of Lincoln reach to-day the republic which Jefferson dedicated, and which he at Gettysburg rededicated in Jefferson's words, what other words than Jefferson's would he choose to bring home to us the enormity of the subjugation by the republic of a protesting, struggling people, and the enormity of all unjust and unnecessary war?

To the common sense of Franklin we should naturally expect that the military system would seem folly; and as matter of fact we find that his condemnations of the wickedness and waste of war are even more numerous and more energetic than Jefferson's. Some of them are well known; but it will be useful to bring this strong body of testimony together. First, Franklin's letter to Dr. Richard Price, in 1780. This was in the very midst of the war, and Dr. Price was a London clergyman, a subject of King George; but Franklin and he remained warm friends throughout, and this letter is one of many which Franklin sends from Paris:

We make daily great improvements in *natural*, there is one I wish to see in *moral* philosophy: the discovery of a plan that would induce and oblige nations to settle

their disputes without first cutting one another's throats. When will human reason be sufficiently improved to see the advantage of this? When will men be convinced that even successful wars at length become misfortunes to those who unjustly commenced them, and who triumphed blindly in their success, not seeing all its consequences?

In 1782, in a letter from Franklin to Dr. Priestley upon man's common inhumanity to man, occurs the following famous passage:

In what light we are viewed by superior beings may be gathered from a piece of late West India news, which possibly has not reached you. A young angel of distinction, being sent down to this world on some important business, for the first time, had an old courier spirit assigned him for his guide; they arrived over the seas of Martinico, in the middle of the long day of obstinate fight between the fleets of Rodney and De Grasse. When through the clouds of smoke he saw the fire of the guns, the decks covered with mangled limbs, and bodies dead or dying; the ships sinking, burning, or blown into the air; and the quantity of pain, misery and destruction the crews yet alive were thus with so much eagerness dealing round to one another; he turned angrily to his guide and said: "You blundering block-head! you undertook to conduct me to the earth, and you have brought me into hell!" "No, sir," says the guide, "I have made no mistake; this is really the earth, and these are men. Devils never treat one another in this cruel manner; they have more sense, and more of what men vainly call humanity."

The next year, 1783, the treaty of peace was signed which recognized the independence of the United States; and Franklin writes as follows to Sir Joseph Banks:

I join with you most cordially in rejoicing at the return of peace. I hope it will be lasting, and that mankind will at length, as they call themselves reasonable creatures, have reason enough to settle their differences without cutting throats; *for, in my opinion, there never was a good war or a bad peace.* What vast additions to the conveniences and comforts of life might mankind have acquired, if the money spent in wars had been employed in works of public utility! What an extension of agriculture, even to the tops of the mountains; what rivers rendered navigable, or joined by canals; what bridges, aqueducts, new roads, and other public works, edifices and improvements, rendering England a complete paradise, might not have been obtained by spending those millions in doing good, which in the last war have been spent in doing mischief—in bringing misery into thousands of families, and destroying the lives of so many working people, who might have performed the useful labors.

In the same year he writes in the same strain from Paris to David Hartley in London:

I think with you that your Quaker article is a good one, and that men will in time have sense enough to adopt it. . . . What would you think of a proposition, if I should make it, of a compact between England, France and America? America would be as happy as the Sabine girls if she could be the means of uniting in perpetual peace her father and her husband. What repeated follies are these repeated wars! You do not want to conquer and govern one another. Why then should you be continually employed in injuring and destroying one another? How many excellent things might have been done to promote the internal welfare of each country;

what bridges, roads, canals and other public works and institutions, tending to the common felicity, might have been made and established with the money and men foolishly spent during the last seven centuries by our mad wars in doing one another mischief! You are near neighbors, and each have very respectable qualities. Learn to be quiet and to respect each other's rights. You are all Christians. One is *The Most Christian King*, and the other *Defender of the Faith*. Manifest the propriety of these titles by your future conduct. "By this," says Christ, "shall all men know that ye are my disciples, if ye love one another." "Seek peace and ensue it."

In 1783, when peace was uppermost in his thoughts, he wrote also to Mrs. Mary Hewson: "All wars are follies, very expensive and very mischievous ones. When will mankind be convinced, and agree to settle their differences by arbitration? Were they to do it even by the cast of a die, it would be better than by fighting and destroying each other." Four years later, in 1787, just after the close of the Constitutional Convention, he returns to this aspect of the subject in the following impressive letter to his sister, Mrs. Jane Mecom:

I agree with you perfectly in your disapprobation of war. Abstracted from the inhumanity of it, I think it wrong in point of human providence. For whatever advantages one nation would obtain from another, whether it be part of their territory, the liberty of commerce with them, free passage on their rivers, etc., etc., it would be much cheaper to purchase such advantages with ready money than to pay the expense of acquiring it by war. An army is a devouring monster, and when you have raised it you have, in order to subsist it, not only the fair charges of pay, clothing, provision, arms and ammunition, with numberless other contingent and just charges, to answer and satisfy, but you have all the additional knavish charges of the numerous tribe of contractors to defray, with those of every other dealer who furnishes the articles wanting for your army, and takes advantage of that want to demand exorbitant prices. It seems to me that if statesmen had a little more arithmetic, or were more accustomed to calculation, wars would be much less frequent. I am confident that Canada might have been purchased from France for a tenth part of the money England spent in the conquest of it. And if, instead of fighting with us for the power of taxing us, she had kept us in a good humor by allowing us to dispose of our own money, and now and then giving us a little of hers by way of donation to colleges or hospitals, or for cutting canals or fortifying ports, she might easily have drawn from us much more by our occasional voluntary grants and contributions than ever she could by taxes. Sensible people will give a bucket or two of water to a dry pump that they may afterwards get from it all they have occasion for. Her Ministry were deficient in that little point of common sense; and so they spent one hundred millions of her money, and after all lost what they contended for.

To Alexander Small, in England, he wrote in 1787:

You have one of the finest countries in the world, and if you can be cured of the folly of making war for trade (in which wars more has been always expended than the profits of any trade can compensate) you may make it one of the happiest. Make the most of your own natural advantages, instead of endeavoring to diminish

flourish. Your beginning to consider France no longer as a natural enemy is a mark of progress in the good sense of the nation.

Finally, in 1788, he wrote as follows to M. Le Veillard in France:

When will princes learn arithmetic enough to calculate, if they want pieces of one another's territory, how much cheaper it would be to buy them than to make war for them, even though they were to give a hundred years' purchase? But if glory cannot be valued, and therefore the wars for it cannot be subject to arithmetical calculation, so as to show their advantage or disadvantage, at least wars for trade, which have gain for their object, may be proper subjects for such computation; and a trading nation, as well as a single trader, ought to calculate the probabilities of profit and loss before engaging in any considerable adventure. This, however, nations seldom do, and we have had frequent instances of their spending more money in wars for acquiring or securing branches of commerce than a hundred years' profit or the full enjoyment of them can compensate.

With these remarkable letters, showing Franklin, as does so much besides, so far in advance of his time, or for that matter of ours, should be read his "Observations on War." Remarking upon the fact that Europe till lately had been without regular troops, he lays his finger on the reason for the portentous growth of armaments in our own time and the great difficulty of disarmament save in concert: "One powerful prince keeping an army always on foot makes it necessary for his neighbor to do the same to prevent surprise." He laments the frightful loss to the world of the labor of all men employed in war, and notes that the soldier loses habits of industry to such degree that he is rarely fit for sober business afterward. It is for the interest of humanity that the occasions of war and the inducements to it should be diminished; and he urges the nations to hasten in better mutual organization. "By the original law of nations, war and extirpation were the punishment of injury. Humanizing by degrees, it admitted slavery instead of death. A farther step was the exchange of prisoners instead of slavery; another, to respect more the property of private persons under conquest and be content with acquired dominion. Why should not this law of nations go on improving? Ages have intervened between its several steps; but as knowledge of late increases rapidly, why should not these steps be quickened?" If it is ever permitted the departed to come back from the other world to this, then surely the spirit of Franklin must have hovered over the Peace Conference at The Hague, where the law of nations took a step so momentous and sublime; and it must have been present in the great church at Delft when, on that Fourth of July in 1899, by invitation of the commissioners of the United States, the members of

the Conference gathered there about the tomb of Grotius, and the silver wreath was laid upon it in tribute to the father of international law, in behalf and by instruction of the government of the great republic which Franklin and Adams and Jefferson and Washington brought into being with the prayer that it might bring a new era to the world, an era of peace on earth and good will among men.

Washington—the father of his country—what of him? From him, too, we have the strong, constructive word. As in other things, so here, Washington unites the common sense of Franklin and the vision of Jefferson. “Cultivate peace and harmony with all nations” was one of the charges of his Farewell Address; and his cautions against those policies and entanglements which so naturally lead to war are known, or ought to be, by every American. His admonition to keep ourselves always in a “respectable defensive posture,” when strained, as it so often is by our militant folk, to cover their schemes, is wantonly misused. He knew, as well as John Bright knew a century later, how happy is our position and how impregnable we are so long as we act like Christians; and the measure of his idea of a “respectable defensive posture” is the fact that the total expenditure for national armament under his sanction during the entire eight years of his administration was less than eight million dollars. In the last half dozen years we have spent in direful and needless war eight hundred million dollars; and we are multiplying battleships by the dozen—surely not needed for “respectable defense”—a single one of which costs almost as much as our whole army and navy appropriations during Washington’s long term as President. In the Farewell Address itself he denounced great armaments, and spoke with deepest feeling of their dangers to democracy. “Overgrown military establishments are, under any form of government, inauspicious to liberty, and are to be regarded as particularly hostile to republican liberty.” Washington was no parochial statesman. No man in his great day saw so far west as he; to-day his vision would sweep round the world. Freeman wrote of him as “the expander of England,” because he first drastically and effectually taught England that her empire could expand and endure only by justice. He was much more the great expander of the republic; and he would be the great expander of the republic’s true influence among men. He would tell the republic to-day that it is no longer boy, but man, and that it must acquit itself like a man. While he was yet with us, he foresaw the time “when, our institutions being firmly consolidated and working

with complete success, we might safely and perhaps beneficially take part in the consultations held by foreign states for the advantage of the nations"; and he would tell us that a hundred relations are imperative for us to-day which were not expedient for us a hundred years ago. But he would also tell us that there are truths which do not change with the centuries and with which the nation that measures its power on a continental scale may no more trifle with impunity than the new man-child. There is an indissoluble union, he would still repeat to us, between "an honest and magnanimous policy and the solid rewards of public prosperity"; and the smiles of heaven cannot be expected on a nation when it "disregards the eternal rules of order and right."

A nation never does this more flagrantly, he held, than in unjust and unnecessary war; and the war spirit is the subject of his constant rebuke. One of the points which he puts down to urge, among the early hints for the Farewell Address, is "That we may never unsheath the sword except in self-defense, so long as justice and our essential rights and national respectability can be preserved without it." To David Humphreys, secretary of the commission sent abroad to negotiate treaties of commerce, he wrote, in 1785, concerning war: "My first wish is to see this plague to mankind banished from the earth, and the sons and daughters of this world employed in more pleasing and innocent amusements than in preparing implements and exercising them for the destruction of mankind." In the same tone he wrote in the same year to the Marquis de la Rouerie, an officer just appointed to the command of a French army corps: "My first wish is (although it is against the profession of arms, and would clip the wings of some of your young soldiers who are soaring after glory) to see the whole world in peace, and the inhabitants of it as one band of brothers striving who should contribute most to the happiness of mankind." To Rochambeau, in 1786, he expressed his abhorrence of the "rage of conquest" among the nations of Europe, and of the "effusion of human blood for the acquisition of a little territory." To the Marquis de Chastellux, in 1788, he wrote, while the "great personages" of the north of Europe were "making war under the infatuation of Mars": "It is time for the age of knight-errantry and mad heroism to be at an end. Your young military men, who want to reap the harvest of laurels, do not care, I suppose, how many seeds of war are sown; but for the sake of humanity it is devoutly to be wished that the manly employment of agriculture and the

humanizing benefits of commerce would supersede the waste of war and the rage of conquest; that the swords might be turned into ploughshares, the spears into pruning-hooks, and, as the Scriptures express it, 'the nations learn war no more.'" In the same year he writes to Lafayette: "Would to God the harmony of nations were an object that lay nearest to the hearts of sovereigns, and that the incentives to peace, of which commerce and facility of understanding each other are not the most inconsiderable, might be daily increased!" And again: "There seems to be a great deal of bloody work cut out for this summer in the north of Europe. If war, want and plague are to desolate those huge armies that are assembled, who, that has the feelings of a man, can refrain from shedding a tear over the miserable victims of regal ambition? It is really a strange thing that there should not be room enough in the world for men to live without cutting one another's throats." At the same time he wrote to Jefferson: "In whatever manner the nations of Europe shall endeavor to keep up their prowess in war and their balance of power in peace, it will be obviously our policy to cultivate tranquility at home and abroad, and to extend our agriculture and commerce as far as possible." To Rochambeau he wrote the next year, 1789: "Notwithstanding it might probably, in a commercial view, be greatly for the advantage of America that a war should rage on the other side of the Atlantic, yet I shall never so far divest myself of the feelings of a man interested in the happiness of his fellowmen as to wish my country's prosperity might be built on the ruins of that of other nations." To the merchants of Philadelphia he said in 1793: "The friends of humanity will deprecate war, wheresoever it may appear; and we have experienced enough of its evils in this country to know that it should not be wantonly or unnecessarily entered upon." In his speech to Congress, just before this, in 1792, he spoke the following serious word, which it becomes his countrymen never to forget: "It would be wise, by timely provisions, to guard against those acts of our own citizens which might tend to disturb peace with other nations, and to put ourselves in a condition to give that satisfaction to foreign nations which we may sometimes have occasion to require of them. I particularly recommend to your consideration the means of preventing those aggressions by our citizens on the territory of other nations, and other infractions of the law of nations, which, furnishing just subject of complaint, might endanger our peace with them."

Such were the sentiments of the leaders of the American Revolution

and the founders of the republic concerning war; such their solemn warnings to us against its wickedness and waste, against great armies and navies, against the indulgence of the military spirit so hostile to democracy, against the rage of conquest and the lust for territorial aggrandizement,—that “original sin of nations,” as Gladstone so well called it,—and against injustice to any people; and such their lofty summons to the nation at its birth to make itself the great peace power of the world and hasten the day when the arbitrament of reason should supplant everywhere the arbitrament of arms.



## FROM WASHINGTON'S FAREWELL ADDRESS.

Observe good faith and justice toward all nations, cultivate peace and harmony with all. Religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened and at no distant period a great nation to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it: can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas, is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded; and that, in place of them, just and amicable feelings toward all should be cultivated. . . . Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. . . . Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities. Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation. . . . Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor or caprice? . . . Harmony and a liberal intercourse with all nations are recommended by policy, humanity and interest.

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# World Peace Foundation

## Pamphlet Series

### THE DRAIN OF ARMAMENTS

(REVISED EDITION)

### THE COST OF PEACE UNDER ARMS

BY

ARTHUR W. ALLEN

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# THE DRAIN OF ARMAMENTS

BY ARTHUR W. ALLEN

THE pamphlet issued by the World Peace Foundation in April 1912, under the title of "The Drain of Armaments," called attention by means of a series of tables to the present annual cost of military and naval preparation in time of peace, and showed by decades the phenomenal increase in such expenditures between 1881 and 1911, noting also the contemporaneous growth of debt and interest charges which, though not always directly chargeable to military expenditures, might readily have been lessened had such expenditures been smaller.

This issue supplements and takes the place of the former pamphlet. It presents (1) the latest budgets and reports; (2) the former tables showing increase in expenditure, debt, and interest from 1881 to 1911 (thirty years); (3) a new set of tables comparing the military and naval outlay of 1912 with that of 1872, which may be said to mark the beginning of the present era of great armaments, a period of forty years as compared with thirty previously considered.

The figures are mainly from the *Almanach de Gotha*, verified by reference to the *Statesman's Year-Book* and *Whitaker's Almanack*. Those for the United States are directly from the official reports.

A brief explanation should be made with regard to the expenditures of the United States War Department. In the previous pamphlet the reports of all nations were accepted at their face, and with the exception of the United States this seems to have been essentially correct, our government apparently being the only one to charge to its War Department any expenditures made for rivers and harbors or other purely civil purposes. In the present tables such expenditures have been deducted, and the amount charged against the army represents actual military outlay.

As the intent was to call attention to the combined expenditures of all the great nations and more particularly to those of Europe,

and as the amount involved was relatively small as compared with the total, the effect on the general result was negligible, but for the sake of fairness as well as accuracy such charges should be eliminated, whatever the effect on amounts and percentages, and the expenditures of the War Department therefore now show a material reduction from the figures previously given.

Yet notwithstanding this deduction of the amount expended by the War Department for civil purposes, which for the year 1911-12 amounted to more than \$43,000,000, this country, with less than 14 per cent as many men in its army as France, spent 60 per cent as much money on it; with less than 13 per cent as many as Germany, it spent almost 54 per cent as much; with less than 7 per cent as many as Russia, it spent about 37 per cent as much. The trouble with us is not that our army is large, but that we do not get what we pay for.<sup>1</sup> The army cost us last year an average of more than \$1300.00 for every man in it as against less than \$400.00 paid by any nation in Europe. At this rate, if we had an army as large as General Wood has suggested, it would strain even our resources to pay the bill. Applied to the Italian army of 305,000, which is relatively small, this rate per man would demand a total expenditure of over \$400,000,000. Applied to Russia, with its 1,250,000 men, it would call for more than \$1,600,000,000.

Attention is called to Tables IV and V. In Table IV the total expenditures shown (except for the United States) are the footings of the several budgets. In Table V there has been deducted the cost of operating post offices, telegraphs, telephones, and railroads, wherever these are operated by the State, in so far as this cost is offset by gross receipts for services. This elimination of the outgo for what are purely business ventures, for the most part profitable, leaves roughly that portion of the annual expenditures of each nation for which the public pays through taxation. The figures give rise to some interesting percentages, but it would be unfair to compare these percentages, one with another. They show as a whole that military and naval charges constitute an abnormal proportion of the

<sup>1</sup> This is true notwithstanding the fact that the United States soldier receives fair pay, while the Continental conscript serves practically without compensation.

combined total, but it is improbable that Germany, for example, spends for her army and navy 19 per cent more of her total outlay than England, or 32 per cent more than France. Many classes of expense met by the general governments in England and France are no doubt paid by the separate states of Germany.

The figures for the coming fiscal year will show material increases, if the present plans are put into effect. They are not yet available, as to cost, but it is estimated that by October, 1914, Germany will have, including the one-year volunteers, an armed force, ready for instant action, of 800,000 to 900,000 men. Whether or not she is justified in constantly forcing the pace in the increase of armaments we shall not here discuss, but that she does set the pace is certain, and there is reason to believe that every other nation—to the west of Russia and the Balkans, at least—would be glad to call a halt. Europe is in a curious psychological state; every nation dreads war, and yet all are straining themselves to be prepared for it. Where will it end?

We make no comment further than to say that if the mutual suspicion and distrust which prompts the present huge armaments of Europe, with their galling financial burdens, are justified by the facts, civilization is a thin veneer and we are still savages at heart. But it is easier to believe that there is a universal and unjustifiable panic, and that if the great nations would be governed by their reason instead of by their fears, show sincerity themselves and credit some degree of sincerity to others, the tension would be relieved. Could this happy condition be brought about the armament question would solve itself. Until the tide turns, no one can say what will happen.

It is a moot question whether or not the manufacturers of armament foment mutual international distrust in order to stimulate business. Probably they are not overscrupulous, and they are naturally disposed to encourage a tendency that is in their interest, but it is easier to believe that suspicion, distrust and fear create armament plants than to credit the reverse. No government could readily be dragooned into buying armament it did not already want, and in a country like Germany it is quite possible that action taken

to arouse public sentiment, in order to obtain increased appropriations for military purposes, is originally prompted by the government itself, whatever its apparent source.

The following, from the speech of the Right Honorable David Lloyd-George, Chancellor of the Exchequer, discussing the British budget before the House of Commons on April 22, 1913, is of interest and value in this connection. He says, in part:

"The largest increases since 1861 have been in armaments. I have pointed out that 1861 represented high water mark at that date of the cost of armaments. It was then £28,285,000; it is now £74,544,000 — an increase of £46,000,000. It was then growing at the rate of hundreds of thousands per year; it is now growing at the rate of millions a year. Since I have had the privilege of occupying my present office, expenditure on armaments has grown by £15,000,000, and I see no prospect of this very menacing growth coming to an end unless there is some fundamental change in the attitude and policy of the nations of the earth.

"The expenditure on armaments differs from every other expenditure in two respects. It is nonproductive and the increase or diminution in armaments is not dependent upon the will of the individual government that initiates the expenditure, or even of the House of Commons that sanctions the expenditure — it depends upon the concerted or rather competitive will of a number of great nations of whom we constitute one of the most potent. Armaments count for the largest, and I think the most sterile, increase since 1861."



# THE WORLD'S ANNUAL ARMAMENT BILL IN TIME OF PEACE

## TABLE I

Country	Fiscal Year	Expended for Army	Expended for Navy	Total Military Charge
<b>GREAT BRITAIN AND THE CONTINENT OF EUROPE</b>				
Austria-Hungary . . . . .	1913	<sup>1</sup> \$115,381,000	\$15,176,000	\$130,557,000
Belgium . . . . .	1912	13,119,000		13,119,000
<sup>2</sup> Bulgaria . . . . .	1912	7,817,000		7,817,000
Denmark . . . . .	1912-13	5,337,000	3,013,000	8,350,000
France . . . . .	1912	<sup>1</sup> 177,656,000	81,693,000	259,349,000
Germany . . . . .	1912-13	201,003,000	111,964,000	312,967,000
Great Britain . . . . .	1911-12	134,850,000	216,194,000	351,044,000
<sup>2</sup> Greece . . . . .	1912	4,155,000	1,699,000	5,854,000
Italy . . . . .	1912-13	<sup>1</sup> 83,284,000	41,859,000	125,143,000
Netherlands . . . . .	1913	13,412,000	8,092,000	21,504,000
Norway . . . . .	1911-12	4,063,000	1,539,000	5,602,000
Portugal . . . . .	1910-11	9,279,000	4,317,000	13,596,000
Rumania . . . . .	1912-13	14,365,000		14,365,000
Russia . . . . .	1912	289,911,000	81,960,000	371,871,000
<sup>2</sup> Servia . . . . .	1912	5,699,000		5,699,000
Spain . . . . .	1912	<sup>1</sup> 36,358,000	13,546,000	49,899,000
Sweden . . . . .	1913	14,884,000	7,032,000	21,916,000
Switzerland . . . . .	1912	8,516,000		8,516,000
Turkey . . . . .	1912-13	39,374,000	5,614,000	44,988,000
<b>Total (Great Britain and the Continent)</b>		<b>\$1,178,458,000</b>	<b>\$593,698,000</b>	<b>\$1,772,156,000</b>
<b>UNITED STATES . . . . .</b>	<b>1911-12</b>	<b><sup>2</sup>\$107,787,000</b>	<b>\$136,390,000</b>	<b>\$244,177,000</b>
<b>JAPAN . . . . .</b>	<b>1912-13</b>	<b>47,066,000</b>	<b>46,510,000</b>	<b>93,576,000</b>
<b>BRITISH INDIA . . . . .</b>	<b>1911-12</b>	<b>101,409,000</b>		<b>101,409,000</b>
<b>MEXICO AND SOUTH AMERICA</b>				
Argentina . . . . .	1912	\$12,232,000	\$11,856,000	\$24,088,000
Brazil . . . . .	1912	25,425,000	14,969,000	40,394,000
Chile . . . . .	1912	12,164,000	11,416,000	23,580,000
Colombia . . . . .	1913			2,661,000
Ecuador . . . . .	1910			2,031,000
Mexico . . . . .	1912-13	Army and Navy not differentiated		10,790,000
Peru . . . . .	1911			2,425,000
Uruguay . . . . .	1910-11			4,946,000
Venezuela . . . . .	1912-13			1,884,000
<b>Total (Mexico and South America) . . . . .</b>				<b>\$112,749,000</b>
<b>WORLD TOTAL . . . . .</b>				<b>\$2,324,067,000</b>

<sup>1</sup>Including Austrian Landwehr and Hungarian Honved (Honved-1912), French Gendarmes, Italian Carabinieri, Spanish Guardia Civil and Carabineros.

<sup>2</sup>These expenditures are the normal peace expenditures only. The cost of the Balkan War was met by special appropriations.

<sup>3</sup>This excludes civil expenditures charged to War Department (\$43,262,000). United States Treasurer's statement shows a total of \$151,049,000.

## MILITARY BUDGETS ANALYZED

## TABLES II-VI

TABLE II

## Cost of Armies and Navies — Ten Nations

Country	Expended for Army	Expended for Navy	Total Military Charge
Austria-Hungary . . .	\$115,381,000	\$15,176,000	\$130,557,000
France . . . . .	177,656,000	81,693,000	259,349,000
Germany . . . . .	201,003,000	111,964,000	312,967,000
Great Britain . . . .	134,850,000	216,194,000	351,044,000
Italy . . . . .	83,284,000	41,859,000	125,143,000
Japan . . . . .	47,066,000	46,510,000	93,576,000
Russia . . . . .	289,911,000	81,960,000	371,871,000
Spain . . . . .	86,353,000	13,546,000	49,899,000
Turkey . . . . .	39,374,000	5,614,000	44,988,000
United States . . . .	107,787,000	186,390,000	244,177,000
Totals . . . . .	\$1,232,665,000	\$750,906,000	\$1,983,571,000

TABLE III

## Total Military Charge per Unit of Population — Nine Nations

Country	Estimated Population	Cost of Army and Navy	Cost per Unit of Population
Austria-Hungary . . .	51,000,000	\$131,000,000	\$2.56
France . . . . .	39,000,000	259,000,000	6.64
Germany . . . . .	65,000,000	313,000,000	4.81
Great Britain . . . .	45,000,000	351,000,000	7.80
Italy . . . . .	35,000,000	125,000,000	3.57
Japan . . . . .	52,000,000	94,000,000	1.81
Russia . . . . .	160,000,000	372,000,000	2.32
Spain . . . . .	20,000,000	50,000,000	2.50
United States . . . .	92,000,000	244,000,000	2.65
Totals . . . . .	559,000,000	\$1,939,000,000	\$3.47

## MILITARY BUDGETS ANALYZED

(CONTINUED)

TABLE IV

Proportion of Total Military Charge to Total Expenditures  
Nine Nations

Country	Total Expenditures	Cost of Army and Navy	Per Cent
Austria-Hungary . . .	\$933,902,000	\$130,557,000	14.0
France . . . . .	868,106,000	259,349,000	29.9
Germany . . . . .	686,900,000	312,967,000	45.5
Great Britain . . . .	882,853,000	351,044,000	39.7
Italy . . . . .	507,623,000	125,143,000	24.6
Japan . . . . .	286,836,000	93,576,000	32.6
Russia . . . . .	1,411,281,000	371,871,000	26.3
Spain . . . . .	217,774,000	49,899,000	22.9
United States . . . .	901,298,000	244,177,000	27.1
Totals . . . . .	\$6,696,573,000	\$1,938,583,000	28.9

TABLE V

Same as Table IV, omitting Cost of Post Office, Telegraph, Telephone and Railroads, wherever operated by the State, in so far as offset by Gross Receipts for Services. (Excluding Japan and Spain. No Statements for Post Office, etc., available.)

Country	Total Expenditures	Cost of Army and Navy	Per Cent
Austria-Hungary . . .	\$636,707,000	\$130,557,000	20.5
France . . . . .	804,758,000	259,349,000	32.2
Germany . . . . .	487,257,000	312,967,000	64.2
Great Britain . . . .	780,184,000	351,044,000	45.0
Italy . . . . .	474,251,000	125,143,000	26.4
Russia . . . . .	1,112,961,000	371,871,000	33.4
United States . . . .	654,554,000	244,177,000	37.3
Totals . . . . .	\$4,950,672,000	\$1,795,108,000	36.3

## MILITARY BUDGETS ANALYZED

(CONTINUED)

TABLE VI

## Cost of Armies per Unit of Fighting Force — Nine Nations

<sup>1</sup> Country	Fighting Force	Cost of Army	Cost per Man
Austria-Hungary . .	415,000	\$115,381,000	\$278
France . . . . .	610,000	177,656,000	291
Germany . . . . .	656,000	201,003,000	306
Great Britain . . .	262,000	<sup>2</sup> 98,963,000	378
Italy . . . . .	305,000	83,284,000	273
Japan . . . . .	<sup>3</sup> 225,000	47,066,000	<sup>3</sup> 209
Russia . . . . .	<sup>3</sup> 1,250,000	289,911,000	232
Spain . . . . .	129,000	36,353,000	282
United States . . .	82,000	107,787,000	1,314
Totals . . . . .	3,934,000	\$1,157,404,000	\$294

<sup>1</sup>Turkey omitted. No satisfactory estimate of fighting force obtainable.<sup>2</sup>Omitting charges for noneffectives (pensioners, etc.), \$18,803,000

" " " special reserves and territorials, 17,084,000

<sup>3</sup>Approximate. Total, \$36,887,000

## THIRTY YEARS' COST OF ARMED PEACE

1881-1911

TABLE VII

## Summary of Tables VIII-XII, showing the Combined Cost of Armies and Navies, and Increase of Interest Charges of the Five Great Military Nations of Europe during Thirty Years

Country	Armies and Navies	Increase of Interest Charges Due to Increased Debt	Total
Austria-Hungary . .	\$2,094,540,000	\$1,548,660,000	\$3,643,200,000
France . . . . .	6,035,640,000	2,272,515,000	8,308,155,000
Germany . . . . .	5,606,945,000	474,705,000	6,081,650,000
Italy . . . . .	2,445,515,000	571,405,000	3,016,920,000
Russia . . . . .	5,658,425,000	1,732,750,000	7,391,175,000
Totals . . . . .	\$21,841,065,000	\$6,800,035,000	\$28,441,100,000

# GROWTH OF MILITARY AND NAVAL EXPENDITURES — SEVEN NATIONS 1881-1911

## TABLES VIII-X

The estimated total for thirty years is obtained in all cases: (1) by averaging the amounts at the beginning and end of each decade; (2) by averaging the three amounts thus obtained; (3) by multiplying the final average by thirty.

TABLE VIII  
Increase for Armies

Country	1881	1891	1901	1911	Excess 1911 over 1881	Estimated Total for Thirty Years
Austria-Hungary .	\$61,827,000	\$58,645,000	\$50,726,000	\$73,513,000	\$11,686,000	\$1,860,410,000
France . . . . .	113,597,000	141,694,000	138,723,000	187,632,000	74,035,000	4,310,315,000
Germany . . . . .	91,076,000	120,964,000	167,588,000	203,938,000	112,863,000	4,360,885,000
Great Britain . .	76,126,000	88,640,000	2307,500,000	138,800,000	63,674,000	3,031,030,000
Italy . . . . .	40,585,000	56,484,000	64,232,000	81,033,000	40,448,000	1,715,250,000
Russia . . . . .	90,783,000	123,326,000	162,012,000	265,642,000	174,859,000	4,635,506,000
United States . .	38,117,000	44,583,000	134,775,000	\$162,357,000	124,240,000	2,265,950,000
Totals . . . . .	\$511,110,000	\$634,336,000	\$1,024,556,000	\$1,112,915,000	\$601,805,000	\$22,209,045,000
Excluding the United States and Great Brit- ain . . . . .	\$397,867,000	\$501,113,000	\$582,281,000	\$811,758,000	\$413,891,000	\$16,882,065,000

<sup>1</sup> These are the only nations that present a fair basis of comparison since 1881.

<sup>2</sup> Reckoned as \$107,500,000, in estimating total for thirty years, to allow for extraordinary expenditures in Boer War.

<sup>3</sup> This includes over \$40,000,000, expended for rivers and harbors and other civil purposes.

<sup>4</sup> Leaving the five nations named in Tables VII, XI, and XII.

**GROWTH OF MILITARY AND NAVAL EXPENDITURES**  
**1881-1911**  
**(CONTINUED)**

**TABLE IX**  
**Increase for Navies**

Country	1881	1891	1901	1911	Excess 1911 over 1881	Estimated Total for Thirty Years
Austria-Hungary . .	\$4,355,000	\$5,672,000	\$8,698,000	\$13,731,000	\$9,376,000	\$234,130,000
France . . . . .	42,557,000	43,754,000	65,857,000	83,286,000	40,729,000	1,725,325,000
Germany . . . . .	11,434,000	23,470,000	38,195,000	114,508,000	103,074,000	1,246,360,000
Great Britain . . .	51,130,000	68,935,000	137,615,000	203,020,000	151,890,000	3,336,250,000
Italy . . . . .	8,870,000	24,293,000	24,477,000	39,643,000	30,773,000	730,265,000
Russia . . . . .	13,098,000	21,880,000	46,799,000	54,128,000	41,030,000	1,022,920,000
United States . . .	13,537,000	22,006,000	55,953,000	120,729,000	107,192,000	1,450,920,000
<b>Totals . . . . .</b>	<b>\$144,981,000</b>	<b>\$210,010,000</b>	<b>\$377,594,000</b>	<b>\$629,045,000</b>	<b>\$484,064,000</b>	<b>\$9,746,170,000</b>
<b>Excluding the United States and Great Britain . . . . .</b>	<b>\$80,314,000</b>	<b>\$119,069,000</b>	<b>\$184,026,000</b>	<b>\$305,296,000</b>	<b>\$224,982,000</b>	<b>\$4,959,000,000</b>

GROWTH OF MILITARY AND NAVAL EXPENDITURES  
1881-1911

(CONTINUED)

TABLE X  
Increase for Armies and Navies Combined

Country	1881	1891	1901	1911	Excess 1911 over 1881	Estimated Total for Thirty Years
Austria-Hungary	\$66,192,000	\$64,317,000	\$68,424,000	\$87,244,000	\$21,062,000	\$2,094,540,000
France . . . . .	156,164,000	185,448,000	204,580,000	270,918,000	114,764,000	6,035,640,000
Germany . . . . .	102,509,000	144,434,000	205,783,000	318,446,000	215,937,000	5,606,945,000
Great Britain . . . . .	126,286,000	157,575,000	445,115,000	341,820,000	215,564,000	6,367,280,000
Italy . . . . .	49,455,000	80,777,000	78,709,000	120,676,000	71,221,000	2,445,516,000
Russia . . . . .	103,881,000	145,206,000	208,811,000	319,770,000	215,889,000	5,658,425,000
United States . . . . .	51,654,000	66,589,000	190,728,000	283,086,000	231,432,000	3,996,870,000
Totals . . . . .	\$656,091,000	\$844,346,000	\$1,402,150,000	\$1,741,960,000	\$1,085,869,000	\$32,205,215,000
Excluding the United States and Great Brit- ain . . . . .	\$478,181,000	\$620,182,000	\$766,307,000	\$1,117,054,000	\$638,873,000	\$21,841,065,000

GROWTH OF DEBT AND INTEREST—FIVE MILITARY NATIONS OF EUROPE  
1881-1911

TABLES XI, XII

TABLE XI  
Increase of Debt<sup>1</sup>

Country	1881	1891	1901	1911	Excess 1911 over 1881
<sup>2</sup> Austria-Hungary . . . .	\$1,607,800,000	\$2,914,876,000	\$3,219,830,000	\$3,612,389,000	\$2,004,589,000
France . . . . .	3,972,407,000	6,400,000,000	6,011,079,000	6,286,435,000	2,314,028,000
<sup>3</sup> Germany . . . . .	43,804,000	308,377,000	556,738,000	1,224,158,000	1,180,354,000
Italy . . . . .	1,746,921,000	2,248,200,000	2,451,000,000	2,614,183,000	867,262,000
Russia . . . . .	1,225,000,000	1,797,365,000	3,112,000,000	4,507,071,000	3,282,071,000
Totals . . . . .	\$8,595,932,000	\$13,668,818,000	\$15,349,647,000	\$18,244,236,000	\$9,648,304,000

<sup>1</sup> Interest-bearing debt only. Issues of paper money not included.

<sup>2</sup> Austro-Hungarian Monarchy, Austria proper, and Hungary proper, combined. Since 1867 no loans have been contracted by the Monarchy.

<sup>3</sup> German Empire only. Prussia alone has a separate debt of nearly \$2,400,000,000.



GROWTH OF DEBT AND INTEREST—FIVE MILITARY NATIONS OF EUROPE  
1881-1911

(CONTINUED)

TABLE XII  
Increase of Interest Charge

Country	1881	1891	1901	1911	Excess 1911 over 1881	Estimated Total for Thirty Years
Austria-Hungary .	\$65,108,000	\$116,595,000	\$128,793,000	\$144,496,000	\$79,388,000	\$3,501,900,000
France . . . . .	149,681,000	256,000,000	249,073,000	192,762,000	43,081,000	6,762,945,000
Germany . . . . .	1,752,000	12,335,000	18,525,000	41,981,000	40,229,000	527,265,000
Italy . . . . .	69,900,000	89,818,000	96,000,000	92,145,000	22,245,000	2,668,405,000
Russia . . . . .	55,125,000	80,881,000	140,065,000	180,233,000	125,158,000	3,386,500,000
Totals . . . . .	\$341,566,000	\$555,629,000	\$632,456,000	\$651,607,000	\$310,101,000	\$16,847,015,000

**GROWTH OF MILITARY AND NAVAL EXPENDITURES—SEVEN NATIONS  
1872-1912**

**TABLES XIII-XV**

**TABLE XIII**

**Increase for Armies**

Country	1872	1912	Increase	Percentage of Increase based on 1872
Austria-Hungary . . . . .	\$45,679,000	\$115,881,000	\$69,702,000	153%
France . . . . .	88,188,000	177,656,000	94,478,000	114%
Germany . . . . .	65,731,000	201,003,000	135,272,000	206%
Great Britain . . . . .	77,246,000	134,850,000	57,604,000	75%
Italy . . . . .	35,362,000	88,284,000	47,922,000	135%
Russia . . . . .	104,474,000	289,911,000	185,437,000	177%
United States . . . . .	35,872,000	107,787,000	72,415,000	204%
<b>Totals . . . . .</b>	<b>\$447,047,000</b>	<b>\$1,109,872,000</b>	<b>\$662,825,000</b>	<b>148%</b>

GROWTH OF MILITARY AND NAVAL EXPENDITURES—SEVEN NATIONS  
1872-1912

(CONTINUED)

TABLE XIV  
Increase for Navies

Country	1872	1912	Increase	Percentage of Increase based on 1872
Austria-Hungary . . . . .	\$5,402,000	\$15,176,000	\$9,774,000	181%
France . . . . .	27,890,000	81,693,000	53,803,000	193%
Germany . . . . .	6,093,000	111,904,000	105,871,000	1737%
Great Britain . . . . .	48,215,000	216,194,000	167,979,000	348%
Italy . . . . .	8,800,000	41,859,000	33,250,000	386%
Russia . . . . .	13,850,000	81,960,000	68,104,000	491%
United States . . . . .	21,250,000	136,390,000	115,140,000	541%
Totals . . . . .	\$131,315,000	\$685,236,000	\$553,921,000	422%

**GROWTH OF MILITARY AND NAVAL EXPENDITURES — SEVEN NATIONS  
1872-1912  
(CONTINUED)**

**TABLE XV  
Increase for Armies and Navies Combined**

Country	1872	1912	Increase	Percentage of Increase based on 1872
Austria-Hungary . . . . .	\$51,081,000	\$130,557,000	\$79,476,000	155%
France . . . . .	111,073,000	259,349,000	148,276,000	133%
Germany . . . . .	71,824,000	312,967,000	241,143,000	335%
Great Britain . . . . .	125,461,000	351,044,000	225,583,000	180%
Italy . . . . .	43,971,000	125,143,000	81,172,000	185%
Russia . . . . .	118,330,000	371,871,000	253,541,000	214%
United States . . . . .	56,021,000	244,177,000	187,556,000	331%
Totals . . . . .	\$578,301,000	\$1,795,108,000	\$1,216,747,000	210%

## INTEREST-BEARING DEBTS OF THE SOVEREIGN NATIONS

TABLE XVI

Country	Date	National Debt	Approximate Annual Interest Charge
<b>GREAT BRITAIN AND THE CONTINENT OF EUROPE</b>			
<sup>1</sup> Austria-Hungary . . . . .	Jan. 1, 1912	\$3,736,248,000	\$149,450,000
Belgium . . . . .	Jan. 1, 1912	720,730,000	21,217,000
Bulgaria . . . . .	Jan. 1, 1912	115,890,000	5,679,000
Denmark . . . . .	Apr. 1, 1912	73,031,000	2,394,000
France . . . . .	Jan. 1, 1911	6,014,266,000	185,775,000
<sup>2</sup> Germany . . . . .	October, 1911	1,148,030,000	39,562,000
Great Britain . . . . .	Apr. 1, 1912	3,210,243,000	96,811,000
Greece . . . . .	Jan. 1, 1912	160,881,000	6,511,000
Italy . . . . .	July 1, 1910	2,524,035,000	88,847,000
Netherlands . . . . .	1912	464,816,000	13,067,000
Norway . . . . .	Apr. 1, 1911	95,972,000	3,359,000
Portugal . . . . .	Jan. 1, 1911	875,064,000	30,087,000
Rumania . . . . .	Apr. 1, 1912	302,209,000	12,088,000
Russia . . . . .	Jan. 1, 1912	4,604,945,000	184,198,000
Servia . . . . .	Jan. 1, 1912	128,078,000	5,764,000
Spain . . . . .	Jan. 1, 1912	1,815,691,000	72,628,000
Sweden . . . . .	Jan. 1, 1912	163,646,000	5,728,000
Switzerland . . . . .	Aug. 1, 1912	23,614,000	826,000
<sup>3</sup> Turkey . . . . .	Sept. 1, 1912	477,249,000	19,090,000
Total (Great Britain and the Continent) . . . . .		<b>\$26,654,638,000</b>	<b>\$943,081,000</b>
UNITED STATES . . . . .	July 1, 1912	<b>\$963,777,000</b>	<b>\$22,616,000</b>
JAPAN . . . . .	Apr. 1, 1912	<b>\$1,271,745,000</b>	<b>\$57,229,000</b>
<b>MEXICO AND SOUTH AMERICA</b>			
Argentina . . . . .	Jan. 1, 1912	\$527,415,000	\$26,371,000
Brazil . . . . .	Jan. 1, 1912	647,796,000	32,390,000
Chili . . . . .	October, 1911	210,220,000	10,511,000
Colombia . . . . .	1911	17,045,000	852,000
Ecuador . . . . .	July 1, 1910	20,885,000	1,044,000
Mexico . . . . .	July 1, 1911	219,213,000	10,961,000
Peru . . . . .	1911	5,844,000	321,000
Uruguay . . . . .	Jan. 1, 1912	138,450,000	6,923,000
Venezuela . . . . .	Jan. 1, 1912	36,535,000	1,096,000
Total (Mexico and South America) . . . . .		<b>\$1,823,403,000</b>	<b>\$90,469,000</b>
World Total . . . . .		<b>\$30,713,563,000</b>	<b>\$1,113,395,000</b>

<sup>1</sup> Austro-Hungarian Monarchy, Austria proper, and Hungary proper, combined. Since 1867 no loans have been contracted by the Monarchy.

<sup>2</sup> German Empire only. Prussia alone has a separate debt of nearly \$2,400,000,000.

<sup>3</sup> Report of Sir Adam Block, 1912.

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## ORGANIZING THE PEACE WORK

BY

EDWIN GINN

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■

*If a thousandth part of what has been expended in war and preparing its mighty engines had been devoted to the development of reason and the diffusion of Christian principles, nothing would have been known for centuries past of its terrors, its sufferings, its impoverishment, and its demoralization, but what was learned from history. —HORACE MANN*

---

*Were half the power that fills the world with terror,  
Were half the wealth bestowed on camps and courts,  
Given to redeem the human mind from error,  
There were no need of arsenals or forts. —LONGFELLOW*

■



# ORGANIZING THE PEACE WORK.

(Address delivered at the Mohonk Conference, May 14, 1913.)

BY EDWIN GINN.

In this brief address I shall confine myself to the need of specific work to meet the enormous forces arrayed against the peace movement. Is it not worth while in our work to give serious consideration as to how the money available shall be spent and larger funds secured? Shall we be satisfied with doing a limited amount of work, or shall we make definite plans for organizing this work broadly on business lines, in order to overcome the odds against us?

The whole world is looking with interest to this great movement which is bringing the nations together on a footing that promises more permanent peaceful relations; but by just so much as we are hopeful beyond reason will the cause suffer, and instead of helping it we shall have delayed its onward march. We cannot settle this question in a year or in ten years. The war system has been so long in the building, it has taken hold of the lives of men so firmly, that it cannot be shaken off suddenly. Men still feel that each nation must make enormous preparations for defense. But in reality the things that were necessary a few years ago are no longer needed. We have had the freebooter and the robber for many centuries, and we have also had the robber nation. There now seems to be a strong desire to curtail the activity of this robber, whether individual or national, to confine each nation within its own boundaries, and, if those boundaries are not satisfactory, to readjust them by diplomacy. In any case the purchase of territory is much less expensive than its acquisition through the medium of war, when the cost in blood and treasure is taken into consideration.

Each nation has been acting independently, seeking its own selfish interests, and the result of such action has not been beneficial to the world. It has resulted in frightful burdens and losses in property and human life, which are becoming unbearable. No one nation is strong enough to arm itself sufficiently to meet attacks from all sides. That

is a wrong method to attempt to pursue. At the bottom of all our difficulty lie suspicion and distrust, which are increased with every battleship launched and every soldier put into the field. It is not possible to convince any nation that increased armament is simply for protection. Why these immense armaments? each says to the other. They mean preparation for a great conflict; and so each nation is straining itself to the point of bankruptcy to meet any possible contingency. The basis of our action, I repeat, is all wrong. Would it not be well to see what can be accomplished through co-operation?

Why not establish an international army and navy comprised of a small proportion of the forces of each nation,—five or ten per cent., or whatever is sufficient for the purpose,—to protect each and every one alike and restrain the turbulent and unruly? It will cost not a dollar more than the nations themselves are now paying individually. The question of the organization and management of such a force has been raised; but similar action was successfully taken during the Boxer difficulties, and I believe that it could be worked out on a larger scale. At the present moment the nations of Europe are acting in concert to modify and check the ravages of war. Such concerted action should be extended to include all the nations of the world. All the nations should agree together that their first duty is to preserve the rights of each and all and to secure permanent peace. Some say that the nations will not so act, that they dare not give up the strong right arm on which they have relied so long. In the formation of this international army they are not asked to give up their own individual military protection, but simply that each shall contribute its proportion for the protection of all. This would leave the individual nations relatively as strong as before, and each could continue in force the old system until convinced that it was no longer needed. We can point to our own Canadian frontier, which has remained unarmed for a hundred years, as an example of what can be done through trust and good will. The nations must no longer think of themselves alone, but each as a part of the great world, a necessary part, that cannot exist a moment without contact with others. We are practically one great world force, each nation being a part of the universal body politic. To realize how much of the world's work for humanity is being done irrespective of nationality, we need only recall the great international congresses of all kinds,—physicians, chambers of commerce, the Red Cross, postal service, exchange of

college professors, the large number of students working at colleges other than those of their own nation, etc. All of these forces are bringing the various nations into closer relations and tending to a better knowledge of each other, hence dissipating suspicion and distrust.

But there are tremendous forces at work in opposition to peace which must be overcome, the selfish interests of those who are making money from military preparation,—ship builders, the manufacturers of cannon and small arms, and those who furnish supplies of all sorts for the armies and navies. There are five million men constantly employed in the armies of the world and twenty-five million men employed part of the time, all of whom are looking to the trade of war for their promotion, as a business, and the families are depending upon their salaries for a livelihood. It has been asserted that nearly one-sixth of the population of the world is more or less pecuniarily interested in this war system, and that from fifteen hundred to two thousand millions of dollars' worth of contracts are given out yearly for the maintenance of armies and navies. Then there are the other financial interests that have such a tremendous amount at stake. When one-sixth of the people of this world are making their living out of the present system, it is a tremendous influence for its continuance, and the contribution of a few disinterested persons will not go far toward changing conditions. All we can hope to do is to bring the facts to the attention of the world and show to the people the necessity of their organizing to oppose this gigantic force.

But we have hardly made a beginning. We have hardly asked for the first dollar from the people to be spent in proper organization. They are seldom even asked to pay the traveling expenses of our lecturers. We are spending the limited amount of money that has been contributed by a few generously-minded persons; and call this efficient work in a great cause. This work for peace is really a charity; and charity as a general thing is inefficient. It is seldom established on an economic basis, and efficiency is not necessary for its existence. It isn't obliged to compete with the world for its funds; and it does not responsibly enlist the large numbers necessary for the success of a great public movement.

In our peace movement we are relying on gratuitous work to a large extent, or on persons who are giving only a small portion of their time to it. No private enterprise ever succeeded on such a basis. The first thing of importance in the establishment of any business is to secure capital sufficient to accomplish the desired end, and then to

secure those men and women especially adapted to carrying on the work, not a portion of their time, while the larger part of it may be given to other enterprises, but all of their time.

In the World Peace Foundation we are trying to adopt the methods on which the world's work is successfully conducted. The plan of organization is similar to that of the ordinary college, calling for a board of trustees, a board of directors corresponding to the faculty, and an advisory council. The selection of these men meant a long and careful search. The efficiency of any movement depends largely upon the personal element. The best plans that can be made and the largest funds appropriated are worthless in the hands of incompetent people. For trustees we have secured able men, some occupying executive positions at the head of leading colleges, others prominent business men. The first qualification in the men sought as directors, who are to be responsible for the execution of the work, was a strong desire to devote themselves to the cause; the next was experience in international affairs and the ability to labor successfully in this field. It is gratifying to say that we secured the men we set out to find. They not only accepted the call, but each expressed a devotion to the cause as the one thing in the world which he has primarily at heart. While they have been prominent in the world's work, they are yet in middle life and capable of doing splendid service for many years to come. All are men of marked individuality, and each will find himself helped by contact with every other. It is the merging together of these strong qualities that we aim at, the greatest individual freedom in thought and action consistent with a broad and all-round development of the organized work. It has been my one aim to indicate only the general outline of what we hope to accomplish, leaving to our trustees and directors the formulation of details.

During the last fifteen years I have given much thought to the war system of the world. My efforts have been directed mainly to the active work that seemed necessary before any considerable change can be effected. Writers and speakers have said much about the evils of this system, but have not given as much attention to the proper remedies that must be adopted to remove them. They have worked largely through conventions and publications, endeavoring with their limited means to bring about a different state of things. We need to secure larger resources and better organization, and take advantage of every avenue of education and influence in the great work.

First among these is the schools. Here is our greatest opportunity

for impressing upon the young minds, those who will soon undertake the responsibility of the world's work, the true principles that should govern international affairs. It is not possible for us to instruct the children in the innumerable class-rooms of the world on this subject; but we should be able to do much in arousing the interest of the teachers in the cause, and through them eventually the children under their care will be reached.

Our attention should be directed especially to the course of study in the schools, in order that we may improve conditions there. In times past, when fighting was the main business of the world, literature consisted largely of the stories of conflicts, and much space was given to these descriptions in histories. Recent histories show a marked improvement in this respect, though there still remains too much that has a pernicious influence upon the child. Is it surprising that our children should receive the impression that war has contributed largely to the development of mankind, when so large a part of our histories and so much of the literature studied in our schools are devoted to the details of the battlefield, dwelling so emphatically upon the picturesque features of war,—the marshalling of soldiers in glittering armor, the stirring music, the brilliant charges, everything to inspire the young to wish to enter into this magnificent display? The other side of the picture should be as carefully portrayed,—the return of these regiments reduced to a tenth of their original number, maimed and feeble, carrying torn and blood-stained battle-flags. The study of history should dwell largely upon the peaceful pursuits of life,—agriculture, trade, commerce, schools, science. These are the things to which the children should give their chief attention, not the misfortunes resulting in the conflict of nations, which should be passed over as briefly as possible and not heralded, as in the past, giving the slightest minutiae of the losses of men and material in conflict. That a hundred thousand men were killed upon the battlefield should be mentioned not as something praiseworthy, but as a great loss to the world.

At present for the work in the public schools of this country we have an organization, the American School Peace League, relying mainly for its executive work upon one woman, its able secretary, and deriving its chief support from another devoted woman. Two nobler women it would be hard to find; but is this what we should be content with for the greatest task this world has to perform, to see to it that the coming generation shall have adequate training upon this

all-important subject? I wish to bear witness to the splendid work of organization, a work in which our foundation has been glad to co-operate, which has been done by the League in this brief period, not only in the United States, but in Europe, with the limited means at its disposal; but I plead for its generous support and the broader organization of the work. At least one-third of all the money spent for peace should, in my judgment, be devoted to the schools. Our own work so far has been more largely with the college students. This is of fundamental importance, for from our colleges come the great classes of our makers of public opinion. But we must never forget that hardly one pupil in a thousand ever reaches college and it is therefore imperative that we begin with the children at a much earlier age, and instil into them the principles which should govern them when they assume positions of responsibility in the world's work.

The preachers in the churches come into contact with all classes and conditions of men, young and old, the world over. Here is a tremendous influence that should be taken into more systematic consideration. The work of the churches should be made as constant and definite as that of the schools. I do not know what churches are for if it is not to promote the brotherhood of men. They are not, it seems to me, exerting the influence that they should in this great cause. They are not organized properly. We need strong and able men to work among the ministry from top to bottom, urging them to greater activity in this campaign of education. I welcome the present new activity to this end in the Federal Council of Churches, and we all pay high tribute to the individual pulpits which radiate such high inspiration.

The press, so powerful an influence in this educational work, may easily be made vastly more so. Editors should be urged to exercise greater care in the selection of their material and to eliminate such matter as tends to incite the people of one nation against another. Those who write for the newspapers should have a serious appreciation of their great responsibility. The press exercises a pre-eminent power over the destinies of mankind. We should see to it that schools of journalism are founded,—we rejoice in the new enterprises in this direction,—where bright young men who desire to enter this profession should be carefully educated for its duties. In every other branch of educational work the teachers and directors serve a long apprenticeship; but in this most important vocation special training has seldom been required. This is said with the fullest and most

grateful appreciation of the conscientious and effective work being done by so many of our newspapers.

Another great body of men of highest influence are the merchants, the manufacturers, and financiers of the world. They hold within their grasp the means for carrying on war, and we should see that they have the fullest information bearing upon this subject, in order that they should withhold their support from a system that is exercising such a baneful influence.

In our International Library we are publishing the best books on this subject, and circulating them as broadly as possible; and our many pamphlets, dealing largely with issues of the time as they arise, reach a wider public. But at present we are able to occupy only a small part of this great field, doing a promising work indeed with the college students, something with various organizations of men and women, with the press, with the churches, and with the schools; but we are dependent mainly upon the contributions of one or two men. My hope is for something much more,—that we may go out with our lecturers and teachers to tell the people of this great problem and the obstacles to be met, and prevail upon them to contribute the funds and workers necessary for success. Instead of a dozen paid teachers or lecturers, there should be many thousand centers of activity carrying on this work in a businesslike, efficient way. The youngest of us will not see war supplanted on present lines of activity: whereas, if this problem were undertaken on business lines, some of us might hope to see decisive results even in our own lifetime.

Broad-minded men and women come together at conventions to discuss this great problem. They make splendid speeches in order to convert others to their way of thinking, but all the time they are talking to the converted. Rarely, if ever, do they raise sufficient funds to send out copies of these speeches to even ten thousand of those who need them. How many millenniums must come before the people can be reached broadly in this way! The world is ready to co-operate with us in more efficient work; but, as I have said, the selfish interests of mankind are more actively at work than are we who are relying upon the generosity of a few people for the support of this great movement.

Do not understand me as undervaluing the work that is being done. I appreciate every force for betterment, and I feel that as much as possible is being accomplished in certain directions with the funds at our command. But we have before us a task that few comprehend.

It is for us not only to institute the measures necessary to curtail this awful waste of life and property, but to bring conviction to the masses that this question cannot be handled successfully by a few people. It is a work for the whole world. We must do our part towards bringing the subject so forcefully before each and every one that all will feel that it is necessary to take a hand in it. We go about our vocations of every kind, giving ninety-nine per cent. of our time and money to them, with hardly a thought or a dollar to the greatest of all needs, and expect these terrible evils of war will be done away with,—that in some way the powers of the earth or the heavens will remove them. Great changes in the established order of things do not come about in this way. The All-wise Power has no hands or voices but ours. He must work through His creatures; and, if we fail to take up His commands, the work will have to wait. Latent feeling must be transformed into action. The peace leaders have not impressed the people sufficiently with the idea that this is a work that must be undertaken by the people as a whole in a large way if any great change is to be made, and that it will never succeed with an indefinite and uncertain source of supply. We must place responsibility as broadly as possible upon the people, and ask each to take a hand in contributions of both money and time. It is not enough for the minister in the pulpit to devote one Sunday in the year to a peace sermon; nor for the teacher in the school to give one day in the year to peace lessons; nor the newspaper one editorial in the year; nor the men of business and finance to have a convention once a year to talk over these matters. All must be awakened to the necessity of taking a vital hand in this work. The future of our cause depends especially upon the co-operation of vigorous young men who wish to devote their whole lives to carrying it forward; and to such our schools and colleges and churches and the press should earnestly appeal.

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# INTERNATIONALISM AMONG UNIVERSITIES.

BY LOUIS P. LOCHNER, SECRETARY OF THE INTERNATIONAL  
FEDERATION OF STUDENTS "CORDA FRATRES."

Scholarship is in its very nature international. The scientist, the linguist, the technician, the historian, the man of letters,—each is dependent upon international co-operation for the achievement of the highest results in his particular field of endeavor. An American Peary can discover the North Pole because of the accumulated knowledge that the scientific explorations of a Danish Bering, an English Franklin, a Norwegian Nansen, have made international property. The American archaeologist Platner can publish his "Topography and Monuments of Ancient Rome" because the researches of a German Hülsen, an Italian Lanciani and an English Ashby have preceded his own. Colonel Goethals accomplishes the stupendous engineering feat of digging the Panama Canal by utilizing the services as well as avoiding the mistakes of his French and British predecessors. The German Zeppelin astounds the world with a dirigible balloon made possible through previous though imperfect conquests of the air by such men of science as Lussac of France, and Green and Coxwell of England. In short, it may truly be said of the scholar that "every factor in his culture, every science which he knows, has been built up by the cumulative services of men in every nation in the successive ages."

It is not surprising, then, that we find an ever-increasing tendency among men of science and of letters to recognize this mutual interdependence by organizing and federating internationally, and, having perfected such welding together along lines of common interest, to co-operate henceforth upon a world scale. Even the most sanguine of workers for international co-operation must have been pleasantly surprised when, a little over a year ago, the Foundation for Internationalism at The Hague, in a singularly interesting volume on "Scientific Internationalism—Pure Sciences and Letters," acquainted us with the names, officers, forms of organization, and brief historical sketch of six hundred and fourteen international organizations and in-

stitutions in the scholastic world, all of them embracing at least a pair of nations, many holding periodic world congresses, and not a few maintaining an official organ of their own. These organizations and institutions embrace every field of scholastic endeavor,—from literature to geodesy, from theology to scientific photography, from history to technology.

All the larger colleges and universities in the United States, and more than half of the total number of such institutions, maintain courses of instruction that stimulate interest in international relations and tend to develop what has been happily termed "the international mind." Such are especially the courses offered for the study of colonization and expansion of empire, of Asiatic and African problems, of international law and diplomatic history. All of these studies focus attention upon the movements toward world-organization during the last twenty years. They contribute directly to the formation of a more intelligent public opinion concerning human fraternity and the increasing solidarity and unity of all social interests. They therefore help to make our student body ripe, as it undoubtedly is, for the doctrine that international disputes must and can be settled by pacific rather than violent means.

The strength of such sentiments among our colleges is shown in the rapid development of such an organization as the Intercollegiate Peace Association.\* The representatives of eight colleges, responding to the initiative of President Noah E. Byers of Goshen College and Prof. Elbert Russell of Earlham College, both of Indiana, organized the Association in a conference at Goshen College in June, 1905. Its purpose was defined as "the promotion of organized activities among students and educators in support of the international arbitration and peace movement." It established prize contests among students for orations upon those subjects, and in connection with its third annual conference at Cincinnati, in 1907, it held the first interstate oratorical competition in which representatives of colleges in two States took part. Since then the Association has grown until now it includes colleges in sixteen States, and has been obliged to divide into three groups, the Eastern, Central and Western. The interstate competitions are followed by a final national contest at the Lake Mohonk Conference in May of each year. In 1912 about eighty colleges participated in the State contests, about two thousand dollars were awarded in prizes, and more than three hundred orations on peace were written and delivered by as many undergraduates. The effect of such activities and discussions upon the student body is far-reaching. The first secretary of the Association, Mr. George Fulk, carried its influence

\*See pamphlet on "Educational Organizations Promoting International Friendship," by Lucia Ames Mead, published by the World Peace Foundation.

into the international field in a most striking manner, offering at the second Hague Conference in 1907 a memorial representing over 22,000 students and over 1,600 teachers.

A mighty international force among the colleges and universities of the world is the Christian Students' Federation (*Fédération Universelle des Étudiants Chrétiens*). The American leader and General Secretary of this international organization, Mr. John R. Mott, is a living embodiment of the international spirit. In the course of twenty-five years he has made himself at home in forty-four countries, and he wields a globe-encircling influence.

In the Federation, now comprising 2,305 Associations with 156,071 members, nineteen different local federations are included. They reach into every continent. The biennial conferences of the Federation are held first in one hemisphere and then in the other. At the 1911 conference, at Constantinople, twenty-eight countries were represented. This is nothing less than a parliament of the world, and every member of this Federation cannot help realizing that the brotherhood of man is a vital fact.

The growing spirit of internationalism among men of learning is further advanced and accentuated by the system of interchange of scholars, which is proving its lasting merit the longer it is in vogue. The Theodore Roosevelt-Kaiser Wilhelm and the Harvard-Berlin exchange professorships, bringing as they do to this country representatives of the best thought of Germany, and cementing anew the cultural bonds between ourselves and the great German nation, so immediately and completely justified their existence that similar exchange arrangements with French, Scandinavian, Japanese and South American scholars have been completed in rapid succession. Who can estimate the value of bringing the faculties and student bodies of the countries concerned into personal contact with these ambassadors of intellect from a sister nation?

Parallel with this exchange professorship idea have been evolved various schemes for enabling picked students to receive part of their collegiate training in a foreign country. Naturally, we think first of the Cecil Rhodes Scholarships, which provide a stipend by means of which young men from the United States, Germany and the British colonies can spend three years as students in historic old Oxford. The eagerness with which the young scholars thus far selected have embraced the opportunity of spending the long vacation terms on the European continent or in other portions of the British Isles, and thus further widening their horizon, in itself bears testimony to the broadening influence that their training at a foreign seat of learning exercised upon them; and the rapidity with which the great majority of former Rhodes scholars have risen to positions of trust

and influence is proof positive of the value of broad international training.\*

Somewhat different in scope and, I believe, more broadening in their influence than even the Rhodes Scholarships are the Traveling Fellowships for Teachers made possible through the generosity of M. Albert Kahn, of Paris. These are offered, approximately two a year for each country included, to scholars in France, Germany, the United States, Japan and England who are fully matured, but at the same time still young and alert enough not to have fallen into set grooves. The beneficiaries of the Kahn Foundation pledge themselves in the course of their incumbency of a traveling fellowship to visit the leading countries of the Orient and of Europe, and by personal observation and contact to learn how other peoples and races are living and are solving their problems.

This same idea of education by travel underlies the scholarships offered by the Association for the International Interchange of Students between North America and the United Kingdom, whose central bureau is at London. This Association during its first experimental period (1909-12) arranged for introductions to influential persons, mapped out study tours, and planned the work on such tours,—all for the beneficiaries of the scholarships. The young men who from time to time were sent to us from England worked on our farms, lived on the East Side of New York, inspected some of our universities, interviewed both capitalist and laborer, sojourned in metropolis and countryside, viewed our wonders of nature, and beheld our stupendous industrial plants. Similar experiences fell to the lot of our students sent to Great Britain. One needs but to read the accounts of these young men—and women, too, for similar tours were arranged for female students—to grasp something of the significance of the movement. The beneficiaries of these scholarships returned to their respective countries as so many apostles of internationalism, each determined to do his best to promote harmonious relations between the peoples of the earth. It was a con-

\*In this connection should also be mentioned the plan of the Division of International Law of the Carnegie Endowment for International Peace. The Institute of International Law at its session at Christiania, Sweden, in 1912, arranged to become the adviser of the Division, and a consultative committee of the Institute was appointed to confer with the Division. This committee on September 2, 1912, examined several projects submitted, and among others recommended the following,—and the projects are in process of being realized:—

The founding of an Academy of International Law at The Hague, to be conducted during the summer or vacation period, and to include a regular course of international law and special lectures on important and current topics, the professors and lecturers to be the most eminent authorities of the different countries.

The founding of paid scholarships at the Academy at The Hague, so as to secure students from all parts of the world, the scholars to be selected either by the governments or as the result of competition by means of theses on subjects to be assigned.

The exchange of professors of international law and diplomacy between various countries.

To establish lectureships and professorships of international law in colleges and universities, after a careful preliminary study of the present state of the teaching of international law in different countries.



dition of these scholarships that each recipient return for at least a year to his university, so that his broadening influence might be felt among his fellow-students. Thus these scholars entered upon a career of singular usefulness immediately after rounding out the terms of their scholarship.

No more fitting tribute to the importance of international training could have been paid by our Chinese sister republic than her decision to use the portion of the Boxer indemnity remitted by our government for sending to this country annually some hundred competitively selected students. These splendid young Celestials, with many of whom it has been and is my good fortune to be linked in the most intimate bonds of friendship, are not only eliciting from the communities in which they matriculate a tardy recognition of the fact that the "foreign devil" is a man with as much all-round ability, intellectual capacity, lofty idealism, and power of accomplishment as the so-called "superior white," but are proving themselves the men of the hour at this important period of China's imperative need for leadership of the highest order. Three of the closest friends of my undergraduate days were Chinese students. The first is now assistant director of the gigantic railway system of China; the second a professor of political science in a Chinese provincial college; the third a press correspondent at Shanghai for eight leading American newspapers and for the Reuter International News Agency!

This migration of Chinese scholars to a foreign country for purposes of study is typical of a tendency which is of tremendous portent for the future of amicable international relations: I mean the tendency not to limit one's education to attendance at a native university, but to complete and augment it by study abroad. Berlin, Leipzig, Paris, Oxford, Cambridge, Vienna, Madrid, Columbia, Pennsylvania, and Cornell universities—I could name a score of others—have become so many melting-pots of nations because of the international composition of their student bodies.

As these students from many lands became transfused with the spirit of internationalism pervading their universities, they began to organize and thereby to make possible one of the greatest modern factors for peace,—the International Federation of Students. Let me briefly sketch the history of this movement.

As early as 1898 a fiery young Italian of Turin addressed an appeal to the students of the world. "Let us fraternize," he said,—“let us fraternize and unite in one vast, gigantic federation”; and he then proceeded to expound his plans for a world-wide federation of students. The student associations of Europe, especially of Southern Europe, responded generously to the invitation of their Italian confrères to

meet in an international convention, and at Rome from the historic Forum Romanum was proclaimed the "Fédération Internationale des Étudiants," which bears as its motto the two Latin words "Corda Fratres" (Brothers in Heart), and which has for its principal aim that of "favoring and protecting the idea of fraternity and solidarity among students."

In spite of numerous vicissitudes, such as any new organization is likely to encounter, the Federation held its own, even founding branches in Argentina, Paraguay and New York City; until in September, 1911, when the members met in their Seventh International Congress, a new element was introduced, which gave a tremendous impetus to the movement and put it on a world-wide scale. This element was the presence of delegations from the Cosmopolitan and International Clubs of North America and Germany and of the "Liga de los Estudiantes" of South America, and the consequent affiliation of the bodies which they represented with the Corda Fratres movement.

Briefly, the facts with reference to the Cosmopolitan Clubs are as follows: Since 1903 there have gradually sprung up in some thirty universities, colleges and technical schools of this country cosmopolitan or international clubs made up of the foreign-born and a limited number of native students. The purpose of these organizations is to bring together into one brotherhood men from different countries, to learn the customs, viewpoints and characteristics of other nationalities, to remove racial prejudices, and to establish international friendships. Since 1907 these clubs have allied themselves in a national Association of Cosmopolitan Clubs. A monthly magazine, *The Cosmopolitan Student*, keeps the members in touch with each other and with the work confronting the federated body. Annual conventions afford picked representatives from the local units an opportunity to deliberate upon problems common to all the clubs and to listen to inspiring addresses by speakers of international fame.

The value of organized effort is seen from the facts that the Association has prevailed upon a score of universities to appoint special faculty advisers for foreign students; that it has received the virtual promise of the United States Commissioner of Education to issue a bulletin of information regarding American universities for the guidance of foreigners contemplating matriculation in our higher institutions of learning; that it has effected an exchange of membership privileges between the component chapters, by means of which the individual member migrating to another university is at once made to feel at home; and that it is now attempting to persuade the faculties at large universities to offer special courses in spoken English to foreigners. It is significant that these measures owe their origin for

the most part to the United States members. On the other hand, the foreign students in these clubs have been largely responsible for the raising of \$2,500 to help relieve the Chinese famine sufferers in 1910, for the numerous appreciative articles that have appeared in foreign journals about American life and institutions, for the project now under consideration of holding a world's students' congress on the Pacific coast in 1915, and for the splendid missionary work of acquainting their fellow-students and the college communities in which they live with foreign civilizations through the medium of periodic "national rights," in the course of which the representatives of one nation describe the customs and institutions of their mother country, play the music of their native composers and on their native instruments, recite and interpret masterpieces of their literature, exhibit their national dances, serve their characteristic dishes,—in short, transmit the spirit of their country to the audience.

Alumni of our clubs, among them especially Dr. George W. Nasmyth of Cornell University, have planted the germs of cosmopolitanism in the midst of the German universities, and have been instrumental in founding "Internationale Studentenvereine" successively at Berlin, Leipzig, Munich, Göttingen and Heidelberg, and in leaguering the German branches into a "Verband" similar to the North American Association. The officers of this "Verband" are in cordial relation with their confrères on this side of the Atlantic. A member of our Association is also responsible for the organization of the Cosmopolitan Club of Robert College, Constantinople.

In England the Cosmopolitan Club and Corda Fratres movements have not found a place in the university life, except at Oxford, where a Cosmopolitan Club has been in existence since 1908. The East and West Clubs promote the sentiment of fraternal sympathy among representatives of the widely sundered divisions of the Empire, although not confined to educational circles. In like manner a recent endowment, called the Garton Foundation, formed to promote the impartial study of international relations, is prominently though not exclusively active in institutions of learning. The Central Bureau of this Foundation is at Whitehall House, Whitehall, London. The War and Peace Societies and the Clubs of International Polity which are being organized under its direction are for the most part connected with universities. The Garton Foundation announces its purpose "to encourage the more systematic study of the facts of international relationship in universities, colleges, schools, polytechnics and other institutions, and with this end to endow bursaries and scholarships, to found prizes and to help in the formation of libraries."

In 1909, at the invitation of the Central Bureau of the *Fédération Internationale des Étudiants* "Corda Fratres," members of the

Association of Cosmopolitan Clubs took part in the Sixth International Congress of that body at The Hague, Holland. They were so impressed with the similarity in aims and ideals between the "Fédération Internationale" and the Cosmopolitan Association that they strongly recommended the affiliation of these two large student bodies,—a recommendation which, however, was not put into complete effect until after the Congress at Rome in 1911, at which time the German International Clubs were also represented by a delegate.

The League of South American Students has had a similar record of genuine usefulness. In 1908 the students of South and North America were invited to a Pan-American congress at Montevideo, Uruguay. That congress, at which students from the United States unfortunately did not take part, provided for the organization of a League of American Students, for the biennial holding of international congresses and for the founding of a central bureau at Montevideo.

The "Liga" now embraces the student bodies of practically all the republics of South and Central America and of Mexico. The congress of Montevideo has been followed by one at Buenos Aires, Argentina, in 1910, and one at Lima, Peru, in 1912. At the latter gathering ten universities of North America were also represented by personal delegates.

As one glances through the voluminous proceedings of these congresses, one cannot but note the similarity in aims and purposes of the "Liga" with the aims and objects of the Corda Fratres of Europe and the Cosmopolitan Clubs of North America, even though the organization is a less formal one. The spirit of internationalism breathes forth from every page.

At the Corda Fratres congress at Rome in 1911, then, we find these three forces represented: the consulates or chapters of Corda Fratres, the Cosmopolitan and International Clubs of North America and Germany, and the League of Students of South America. It was no small thing to mold these three movements—each presenting a somewhat different plan of organization, each proud of its history and results—into a composite whole and to provide a form of international organization so flexible as to enable other movements which might exist in other countries, such as the East and West Clubs of England, to become affiliated. But good will and mutual concession wrought the seeming miracle; and for almost two years we have been working under a tentative and experimental platform of world confederation, the principal features of which are, first, the neutrality of the Federation in matters affecting religious, political or economic principles; second, the complete autonomy of the component groups;

third, the composition of an international central committee of direction, consisting of two members from each country represented; fourth, the provision for regular biennial congresses; and, fifth, the stress laid upon the extension of hospitality, upon correspondence between members of different countries, and upon the encouragement of mutual understanding as a means of promoting amicable international relations.

Thus we have gone a great way toward uniting the students in an all-embracing world federation. We of the American group are especially happy that the Eighth International Congress, to be held in September, 1913, has been awarded to the United States, and that the Cosmopolitan Club of Cornell University, the strongest branch in our Association, is to act as host during the official sessions.

The preparations for the congress are now well under way. Invitations to the students of the world have been sent for circulation to all the foreign ministries, to all the student college papers of this and other countries, to all the student associations whose names could be learned by the Congress Committee headed by Carlos L. Locsin of Cornell, a Filipino student of remarkable organizing powers, and to hundreds of individual students. An honorary committee headed by President Wilson, and comprising such names as that of United States Commissioner of Education Philander P. Claxton, Director-General John Barrett of the Pan-American Union, Secretary Benjamin F. Trueblood of the American Peace Society, Governor Sulzer and Mayor Gaynor of New York, Edwin Ginn of Boston, Edwin D. Mead, director of the World Peace Foundation, Hamilton Holt of *The Independent*, Dr. Andrew D. White, and the presidents of practically all colleges and universities at which there are cosmopolitan clubs, is giving its moral support to the congress. The Division of Intercourse and Education of the Carnegie Foundation has shown its interest by granting a considerable subvention to help finance the congress; while the World Peace Foundation of Boston has made it possible for President Nasmyth, of the International Central Committee, to spend most of his term of office in Europe, where he is rousing the student bodies of the Old World to the importance of the coming international meeting.

Though the official sessions are to be held at Ithaca, it is planned to take the foreign visitors to a number of places of interest, including New York City, Albany, Schenectady, Niagara Falls, Buffalo, Philadelphia, Washington, Boston and Cambridge.

I sincerely hope that the universities of this country will appoint delegates to this congress, and thereby embrace the splendid opportunity offered of encouraging the cause of international good will

and humanity. Never before has an opportunity like this come to the students of this country to show their international-mindedness. Will they rise to the occasion?

The International Federation of Students is not a peace society, technically so called. We can in the very nature of things not indorse any particular mode of settlement of international disputes. Nevertheless, our movement is pregnant with tremendous possibilities for peace. For we bring together at the most formative period of their lives picked young men from many different countries,—men foreordained to become leaders of thought and action in their respective countries,—and show them that “the other fellow” is animated by the same high ideals for which they take credit, acquaint them with other peoples and civilizations, and teach them that humanity—all-embracing, all-including, linked with the idea of brotherly love, of sympathetic understanding, of good will toward all mankind—is a bond of union transcending national, racial or color lines of demarcation.

In conclusion, I desire to advance a positive suggestion for further advancing the spirit of internationalism in the scholastic world. It is this: Should not the coming world congress of students be utilized for calling into life an International Institute of Universities, which shall act as a clearing house, as a central repository for information affecting the entire scholastic world? I have in mind a bureau which shall be instrumental in promoting international congresses of scholars and students, in organizing international visits between students and professors of different countries, in publishing an international students' magazine. I have in mind a bureau which shall collect and distribute data concerning the requirements for admission and degrees, fees and cost of living, special advantages offered in various fields by different universities, and all other subjects of interest to students contemplating matriculation abroad. I have in mind a bureau which shall act as the press agent for distinguished scholars who visit other countries on lecture tours, and which shall co-operate in arranging for the itinerary of these lecturers. Limitations of space forbid a detailed discussion of the many uses to which such an Institute could be put. Suffice it to say that it would serve, as nothing yet devised, to unite and unify the numerous forces now at work in the scholastic world for hastening the day of complete world organization. The machinery is provided in the organizations which I have sketched; and a large part of this work is being begun this year through the International Bureau of Students, conducted by George W. Nasmyth, under the auspices of World Peace Foundation.

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**THE FORCES WARRING  
AGAINST WAR**

BY  
HAVELOCK ELLIS

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THE cause of peace is not the cause of cowardice. If peace is sought to be defended or preserved for the safety of the luxurious and the timid, it is a sham, and the peace will be base. War is better, and the peace will be broken. If peace is to be maintained, it must be by brave men, who have come up to the same height as the hero, namely, the will to carry their life in their hand, and stake it at any instant for their principle, but who have gone one step beyond the hero, and will not seek another man's life; men who have, by their intellectual insight, or else by their moral elevation, attained such a perception of their own intrinsic worth, that they do not think property or their own body a sufficient good to be saved by such dereliction of principle as treating a man like a sheep. If the rising generation can be provoked to think it unworthy to nestle into every abomination of the past, and shall feel the generous darings of austerity and virtue, then war has a short day. Whenever we see the doctrine of peace embraced by a nation, we may be assured it will not be one that invites injury; but one, on the contrary, which has a friend in the bottom of the heart of every man, even of the violent and the base; one against which no weapon can prosper; one which is looked upon as the asylum of the human race and has the blessings of mankind. — *From Emerson's Essay on War.*

A DAY will come when a cannon ball will be exhibited in public museums, just as an instrument of torture is now, and people will be amazed that such a thing could ever have been. A day will come when those two immense groups, the United States of America and the United States of Europe, will be seen placed in the presence of each other, extending the hand of fellowship across the ocean, exchanging their produce, their industries, their arts, their genius, clearing the earth, peopling the desert, improving creation under the eye of the Creator, and uniting, for the good of all, these two irresistible and infinite facts, the fraternity of men and the power of God. — *Victor Hugo, President of Second General Peace Congress, Paris, 1849.*

IF a thousandth part of what has been expended in war and preparing its mighty engines had been devoted to the development of reason and the diffusion of Christian principles, nothing would have been known for centuries past of its terrors, its sufferings, its impoverishment and its demoralization, but what was learned from history. — *Horace Mann.*

WERE half the power that fills the world with terror,  
Were half the wealth bestowed on camps and courts,  
Given to redeem the human mind from error,  
There were no need of arsenals or forts. — *Longfellow.*



# THE FORCES WARRING AGAINST WAR<sup>1</sup>

By HAVELOCK ELLIS

The abolition of collective fighting is so desirable an extension of the abolition of individual fighting, and its introduction has waited so long the establishment of some high compelling power — for the influence of the Religion of Peace has in this matter been less than nil — that it is evident that only the coincidence of very powerful and peculiar factors could have brought the question into the region of practical politics in our own time. There are several such factors, most of which have been developing during a long period, but none have been clearly recognized until recent years. It may be worth while to indicate the great forces now warring against war.

(1) *Growth of International Opinion.* There can be no doubt whatever that during recent years, and especially in the more democratic countries, an international consensus of public opinion has gradually grown up, making itself the voice, like a Greek chorus, of an abstract justice. It is quite true that of this justice, as of justice generally, it may be said that it has wide limits. Renan declared once, in a famous allocution, that "what is called indulgence is, most often, only justice," and, at the other extreme, Remy de Gourmont has said that "injustice is sometimes a part of justice"; in other words, there are varying circumstances in which justice may properly be tempered either with mercy or with severity. In any case, and however it may be qualified, a popular international voice generously pronouncing itself in favor of justice, and resonantly condemning any government which clashes against justice, is now a factor of the international situation. It is, moreover, tending to become a factor having a certain influence on affairs. This was the case during the South African War, when England, by offending this international sense of justice, fell into a discredit which had many actual

<sup>1</sup> From Mr. Ellis's essay on "The War against War," in the volume on "The Task of Social Hygiene." By the kind consent of the publishers, Houghton Mifflin Company.

Mr. Ellis is one of the ablest of contemporary English writers, known best perhaps in our historical circles by his "Study of British Genius," but in scientific circles by his numerous sociological and psychological works. Long active in education, he has traveled widely and is broadly conversant with world affairs.

unpleasant results and narrowly escaped, there is some reason to believe, proving still more serious. The same voice was heard with dramatically sudden and startling effect when Ferrer was shot at Barcelona. Ferrer was a person absolutely unknown to the man in the street; he was indeed little more than a name even to those who knew Spain; few could be sure, except by a kind of intuition, that he was the innocent victim of a judicial murder, for it is only now that the fact is being slowly placed beyond dispute. Yet immediately after Ferrer was shot within the walls of Monjuich a great shout of indignation was raised, with almost magical suddenness and harmony, throughout the civilized world, from Italy to Belgium, from England to Argentina. Moreover, this voice was so decisive and so loud that it acted like those legendary trumpet-blasts which shattered the walls of Jericho; in a few days the Spanish Government, with a powerful minister at its head, had fallen. The significance of this event we cannot easily overestimate. For the first time in history, the voice of international public opinion, unsupported by pressure, political, social or diplomatic, proved potent enough to avenge an act of injustice by destroying a government. A new force has appeared in the world, and it tends to operate against those countries which are guilty of injustice, whether that injustice is exerted against a State or even only against a single obscure individual. The modern developments of telegraphy and the press — unfavorable as the press is in many respects to the cause of international harmony — have placed in the hands of peace this new weapon against war.

(2) *International Financial Development.* There is another international force which expresses itself in the same sense. The voice of abstract justice raised against war is fortified by the voice of concrete self-interest. The interests of the propertied classes, and therefore of the masses dependent upon them, are to-day so widely distributed throughout the world that whenever any country is plunged into a disastrous war there arises in every other country, especially in rich and prosperous lands with most at stake, a voice of self-interest in harmony with the voice of justice. It is sometimes said that wars are in the interest of capital, and of capital alone, and that they are engineered by capitalists masquerading under imposing humanitarian disguises. That is doubtless true to the extent that every war cannot fail to benefit some section of the capitalistic world, which will therefore favor it, but it is true to that extent only. The old notion that war and the acquisition of territories encouraged trade by opening up new markets has proved fallacious. The extension

of trade is a matter of tariffs rather than of war, and in any case the trade of a country with its own acquisitions by conquest is a comparatively insignificant portion of its total trade. But even if the financial advantages of war were much greater than they are, they would be more than compensated by the disadvantages which nowadays attend war. International financial relationships have come to constitute a network of interests so vast, so complicated, so sensitive, that the whole thrills responsively to any disturbing touch, and no one can say beforehand what widespread damage may not be done by shock even at a single point. When a country is at war its commerce is at once disorganized, that is to say that its shipping, and the shipping of all the countries that carry its freights, is thrown out of gear to a degree that often cannot fail to be internationally disastrous. Foreign countries cannot send in the imports that lie on their wharves for the belligerent country, nor can they get out of it the exports they need for their own maintenance or luxury. Moreover, all the foreign money invested in the belligerent country is depreciated and imperiled. The international voice of trade and finance is, therefore, to-day mainly on the side of peace.

It must be added that this voice is not, as it might seem, a selfish voice only. It is justifiable not only in immediate international interests, but even in the ultimate interests of the belligerent country, and not less so if that country should prove victorious. So far as business and money are concerned, a country gains nothing by a successful war, even though that war involves the acquisition of immense new provinces; after a great war a conquered country may possess more financial stability than its conqueror, and both may stand lower in this respect than some other country which is internationally guaranteed against war. Such points as these have of late been ably argued by Norman Angell in his remarkable book, "The Great Illusion," and for the most part convincingly illustrated.<sup>1</sup> As was long since said, the ancients cried, *Vae victis!* We have learnt to cry, *Vae victoribus!*

It may, indeed, be added that the general tendency of war — putting aside peoples altogether lacking in stamina — is to moralize the conquered

<sup>1</sup> The same points had previously been brought forward by others, although not so vigorously enforced. Thus the well-known Belgian economist and publicist, Émile de Laveleye, pointed out (*Pall Mall Gazette*, 4th August, 1888) that "the happiest countries are incontestably the smallest: Switzerland, Norway, Luxemburg, and still more the Republics of San Marino and Val d'Andorre"; and that "countries in general, even when victorious, do not profit by their conquests."

and to demoralize the conquerors. This effect is seen alike on the material and the spiritual sides. Conquest brings self-conceit and intolerance, the reckless inflation and dissipation of energies. Defeat brings prudence and concentration; it ennobles and fortifies. All the glorious victories of the first Napoleon achieved less for France than the crushing defeat of the third Napoleon. The triumphs left enfeeblement; the defeat acted as a strong tonic which is still working beneficently to-day. The corresponding reverse process has been at work in Germany: the German soil that Napoleon plowed yielded a Moltke and a Bismarck,<sup>1</sup> while to-day, however mistakenly, the German press is crying out that only another war — it ought in honesty to say an unsuccessful war — can restore the nation's flaccid muscle. It is yet too early to see the results of the Russo-Japanese War, but already there are signs that by industrial overstrain and the repression of individual thought Japan is threatening to enfeeble the physique and to destroy the high spirit of the indomitable men to whom she owed her triumph.

(3) *The Decreasing Pressure of Population.* It was at one time commonly said, and is still sometimes repeated, that the pressure of overpopulation is the chief cause of wars. That is a statement which requires a very great deal of qualification. It is, indeed, possible that the great hordes of warlike barbarians from the North and the East which invaded Europe in early times, sometimes more or less overwhelming the civilized world, were the result of a rise in the birth-rate and an excess of population beyond the means of subsistence. But this is far from certain, for we know absolutely nothing concerning the birth-rate of these invading peoples either before or during the period of their incursions. Again, it is certain that, in modern times, a high and rising birth-rate presents a favorable condition for war. A war distracts attention from the domestic disturbances and economic wretchedness which a too rapid growth of population necessarily produces, while at the same time tending to draw away and destroy the surplus population which causes this disturbance and wretchedness. Yet there are other ways of meeting this overpopulation besides the crude method of war. Social reform and emigration furnish equally effective and much more humane methods of counteracting such pressure. No doubt the overpopulation resulting from an excessively high birth-rate, when not met, as it tends to be, by a correspondingly

<sup>1</sup> Bismarck himself declared that without the deep shame of the German defeat at Jena in 1806 the revival of German national feeling would have been impossible.

high death-rate from disease, may be regarded as a predisposing cause of war, but to assert that it is the pre-eminent cause is to go far beyond the evidence at present available.

To whatever degree, however, it may have been potent in causing war in the past, it is certain that the pressure of population as a cause of war will be eliminated in the future. The only nations nowadays that can afford to make war on the grand scale are the wealthy and civilized nations. But civilization excludes a high birth-rate: there has never been any exception to that law, nor can we conceive any exceptions, for it is more than a social law; it is a biological law. Russia, a still imperfectly civilized country, stands apart in having a very high birth-rate, but it also has a very high death-rate, and even should it happen that in Russia improved social conditions lower the death-rate before affecting the birth-rate, there is still ample room within Russian territory for the consequent increase of population. Among all the other nations which are considered to threaten the world's peace, the birth-rate is rapidly falling. This is so, for instance, as regards England and Germany. Germany, especially, it was once thought — though in actual fact Germany has not fought for over forty years — had an interest in going to war in order to find an outlet for her surplus population, compelled, in the absence of suitable German colonies, to sacrifice its patriotism and lose its nationality by emigrating to foreign countries. But the German birth-rate is falling, German emigration is decreasing, and the immense growth of German industry is easily able to absorb the new generation. Thus the declining birth-rate of civilized lands will alone largely serve in the end to eliminate warfare, partly by removing one of its causes, partly because the increased value of human life will make war too costly.

(4) *The Natural Exhaustion of the Warlike Spirit.* It is a remarkable tendency of the warlike spirit — frequently emphasized in recent years by the distinguished zoölogist, President D. S. Jordan, who here follows Novikov<sup>1</sup> — that it tends to exterminate itself. Fighting stocks, and peoples largely made up of fighting stocks, are naturally killed out, and the field is left to the unwarlike. It is only the prudent, those who fight and run away, who live to fight another day; and they transmit their prudence to their offspring. Great Britain is a conspicuous example of a land which,

<sup>1</sup> D. Starr Jordan, "The Human Harvest," 1907; J. Novikov, "La Guerre et ses Prétextes Bienfaits," 1894, chap. iv; Novikov here argued that the selection of war eliminates not the feeble but the strong, and tends to produce, therefore, a survival of the unfittest.

being an island, was necessarily peopled by predatory and piratical invaders. A long series of warlike and adventurous peoples — Celts, Romans, Anglo-Saxons, Danes, Normans — built up England and imparted to it their spirit. The English were, it was said, "a people for whom pain and death are nothing, and who only fear hunger and boredom." But for over eight hundred years they have never been reinforced by new invaders, and the inevitable consequences have followed. There has been a gradual killing out of the warlike stocks, a process immensely accelerated during the nineteenth century by a vast emigration of the more adventurous elements in the population, pressed out of the overcrowded country by the reckless and unchecked increase of the population which occurred during the first three-quarters of that century. The result is that the English (except sometimes when they happen to be journalists) cannot now be described as a warlike people. Old legends tell of British heroes who, when their legs were hacked away, still fought upon the stumps. Modern poets feel that to picture a British warrior of to-day in this attitude would be somewhat far-fetched. The historian of the South African War points out, again and again, that the British leaders showed a singular lack of the fighting spirit. During that war English generals seldom cared to engage the enemy's forces except when their own forces greatly outnumbered them, and on many occasions they surrendered immediately they realized that they were themselves outnumbered. Those reckless Englishmen who boldly sailed out from their little island to face the Spanish Armada were long ago exterminated; an admirably prudent and cautious race has been left alive.

It is the same story elsewhere. The French long cherished the tradition of military glory, and no country has fought so much. We see the result to-day. In no country is the attitude of the intellectual classes so calm and so reasonable on the subject of war, and nowhere is the popular hostility to war so strongly marked.<sup>1</sup> Spain furnishes another instance which is even still more decisive. The Spanish were of old a pre-eminently warlike people, capable of enduring all hardships, never fearing to face death. Their aggressively warlike and adventurous spirit sent

<sup>1</sup> "The most demoralizing features in French military life," says Professor A. L. Guérard, a highly intelligent observer ("*Impressions of Military Life in France*," *Popular Science Monthly*, April, 1911), "are due to an incontestable progress in the French mind — its gradual loss of faith and interest in military glory. Henceforth the army is considered as useless, dangerous, a burden without a compensation. Authors of school books may be censured for daring to print such

them to death all over the world. It cannot be said, even to-day, that the Spaniards have lost their old tenacity and hardness of fiber, but their passion for war and adventure was killed out three centuries ago.

In all these and the like cases there has been a process of selective breeding, eliminating the soldierly stocks and leaving the others to breed the race. The men who so loved fighting that they fought till they died had few chances of propagating their own warlike impulses. The men who fought and ran away, the men who never fought at all, were the men who created the new generation and transmitted to it their own traditions.

This selective process, however, has not merely acted automatically; it has been furthered by social opinion and social pressure, sometimes very drastically expressed. Thus in the England of the Plantagenets there grew up a class called "gentlemen" — not, as has sometimes been supposed, a definitely defined class, though they were originally of good birth — whose chief characteristic was that they were good fighting men, and sought fortune by fighting. The "premier gentleman" of England, according to Sir George Sitwell, and an entirely typical representative of his class, was a certain glorious hero who fought with Talbot at Agincourt, and also, as the unearthing of obscure documents shows, at other times indulged in housebreaking, and in wounding with intent to kill, and in "procuring the murder of one Thomas Page, who was cut to pieces while on his knees begging for his life." There, evidently, was a state of society highly favorable to the warlike man, highly unfavorable to the unwarlike man whom he slew in his wrath. Nowadays, however, there has been a revaluation of these old values. The cowardly and no doubt plebeian Thomas Page, multiplied by the million, has succeeded in hoisting himself into the saddle, and he revenges himself by discrediting, hunting into the slums and finally hanging, every descendant he can find of the premier gentleman of Agincourt.

It must be added that the advocates of the advantages of war are not entitled to claim this process of selective breeding as one of the advantages of war. It is quite true that war is incompatible with a high civilization,

opinions, but the great majority of the French hold them in their hearts. Nay, there is a prevailing suspicion among working men that the military establishment is kept up for the sole benefit of the capitalists, and the reckless use of troops in case of labor conflicts gives color to the contention." It has often happened that what the French think to-day the world generally thinks to-morrow. There is probably a world-wide significance in the fact that French experience is held to show that progress in intelligence means the demoralization of the army.

and must in the end be superseded. But this method of suppressing it is too thorough. It involves not merely the extermination of the fighting spirit, but of many excellent qualities, physical and moral, which are associated with the fighting spirit. Benjamin Franklin seems to have been the first to point out that "a standing army diminishes the size and breed of the human species." Almost in Franklin's lifetime that was demonstrated on a wholesale scale, for there seems little reason to doubt that the size and stature of the French nation have been permanently diminished by the constant levies of young recruits, the flower of the population, whom Napoleon sent out to death in their first manhood and still childless. Fine physical breed involves also fine qualities of virility and daring which are needed for other purposes than fighting. In so far as the selective breeding of war kills these out, its results are imperfect, and could be better attained by less radical methods.

(5) *The Growth of the Anti-military Spirit.* The decay of the warlike spirit by the breeding out of fighting stocks has in recent years been reinforced by a more acute influence of which in the near future we shall certainly hear more. This is the spirit of anti-militarism. This spirit is an inevitable result of the decay of the fighting spirit. In a certain sense it is also complementary to it. The survival of non-fighting stocks by the destruction of the fighting stocks works most effectually in countries having a professional army. The anti-military spirit, on the contrary, works effectually in countries having a national army in which it is compulsory for all young citizens to serve, for it is only in such countries that the anti-militarist can, by refusing to serve, take an influential position as a martyr in the cause of peace.

Among the leading nations, it is in France that the spirit of anti-militarism has taken the deepest hold of the people, though in some smaller lands, notably among the obstinately peaceable inhabitants of Holland, the same spirit also flourishes. Hervé, who is a leader of the insurrectional socialists, as they are commonly called in opposition to the purely parliamentary socialists led by Jaurès,—though the insurrectional socialists also use parliamentary methods,—may be regarded as the most conspicuous champion of anti-militarism, and many of his followers have suffered imprisonment as the penalty of their convictions. In France the peasant proprietors in the country and the organized workers in the town are alike sympathetic to anti-militarism. The syndicalists, or labor unionists with the *Confédération Générale du Travail* as their central organization, are not usually anxious to imitate what they consider the unduly



timid methods of English trade unionists ;<sup>1</sup> they tend to be revolutionary and anti-military. The congress of delegates of French Trade Unions, held at Toulouse in 1910, passed the significant resolution that "a declaration of war should be followed by the declaration of a general revolutionary strike." The same tendency, though in a less radical form, is becoming international, and the great International Socialist Congress at Copenhagen has passed a resolution instructing the International Bureau to "take the opinion of the organized workers of the world on the utility of a general strike in preventing war."<sup>2</sup> Even the English working classes are slowly coming into line. At a Conference of Labor Delegates, held at Leicester in 1911, to consider the Copenhagen resolution, the policy of the anti-military general strike was defeated by only a narrow majority, on the ground that it required further consideration, and might be detrimental to political action ; but as most of the leaders are in favor of the strike policy there can be no doubt that this method of combating war will shortly be the accepted policy of the English Labor movement. In carrying out such a policy the Labor Party expects much help from the growing social and political power of women. The most influential literary advocate of the Peace movement, and one of the earliest, has been a woman, the Baroness Bertha von Suttner, and it is held to be incredible that the wives and mothers of the people will use their power to support an institution which represents the most brutal method of destroying their husbands and sons. "The cause of woman," says Novikov, "is the cause of peace." "We pay the first cost on all human life," says Olive Schreiner.<sup>3</sup>

<sup>1</sup> The influence of Syndicalism has, however, already reached the English Labor movement, and an ill-advised prosecution by the English Government must have immensely aided in extending and fortifying that influence.

<sup>2</sup> Some small beginnings have already been made. "The greatest gain ever yet won for the cause of peace," writes Mr. H. W. Nevins, the well-known war correspondent (*Peace and War in the Balance*, p. 47), "was the refusal of the Catalanian reservists to serve in the war against the Riff mountaineers of Morocco in July, 1909. . . . So Barcelona flared to heaven, and for nearly a week the people held the vast city. I have seen many noble, as well as many terrible, events, but none more noble or of finer promise than the sudden uprising of the Catalan working people against a dastardly and inglorious war, waged for the benefit of a few speculators in Paris and Madrid."

<sup>3</sup> J. Novikov, "La Fédération de l'Europe," chap. iv. Olive Schreiner, "Woman and Labour," chap. iv. While this is the fundamental fact, we must remember that we cannot generalize about the ideas or the feelings of a whole sex, and that the biological traditions of women have been associated with a primitive period when they were the delighted spectators of combats. "Woman," thought Nietzsche, "is

The anti-militarist, as things are at present, exposes himself not only to the penalty of imprisonment, but also to obloquy. He has virtually refused to take up arms in defense of his country; he has sinned against patriotism. This accusation has led to a counter-accusation directed against the very idea of patriotism. Here the writings of Tolstoy, with their poignant and searching appeals for the cause of humanity as against the cause of patriotism, have undoubtedly served the anti-militarists well, and wherever the war against war is being urged, even so far as Japan, Tolstoy has furnished some of its keenest weapons. Moreover, in so far as anti-militarism is advocated by the workers, they claim that international interests have already effaced and superseded the narrower interests of patriotism. In refusing to fight, the workers of a country are simply declaring their loyalty to fellow-workers on the other side of the frontier, a loyalty which has stronger claims on them, they hold, than any patriotism which simply means loyalty to capitalists; geographical frontiers are giving place to economic frontiers, which now alone serve to separate enemies. And if, as seems probable, when the next attempt is made at a great European war, the order for mobilization is immediately followed in both countries by the declaration of a general strike, there will be nothing to say against such a declaration even from the standpoint of the narrowest patriotism, although there may be much to say on other grounds against the policy of the general strike.<sup>1</sup>

If we realize what is going on around us, it is easy to see that the anti-militarist movement is rapidly reaching a stage when it will be easily able, even unaided, to paralyze any war immediately and automatically. The pioneers in the movement have played the same part as was played in the seventeenth century by the Quakers. In the name of the Bible and their own consciences, the Quakers refused to recognize the right of any secular authority to compel them to worship or to fight; they gained

essentially unpeaceable, like the cat, however well she may have assumed the peaceable demeanor." Steinmetz ("Philosophie des Kriegeres," p. 314), remarking that women are opposed to war in the abstract, adds: "In practice, however, it happens that women regard a particular war — and all wars are particular wars — with special favor"; he remarks that the majority of Englishwomen fully shared the war fever against the Boers, and that, on the other side, he knew Dutch ladies in Holland, very opposed to war, who would yet have danced with joy at that time on the news of a declaration of war against England.

<sup>1</sup> The general strike, which has been especially developed by the syndicalist labor movement, and is now tending to spread to various countries, is a highly powerful weapon, so powerful that its results are not less serious than those of

what they struggled for, and now all men honor their memories. In the name of justice and human fraternity, the anti-militarists are to-day taking the like course and suffering the like penalties. To-morrow, they also will be revered as heroes and martyrs.

(6) *The Over-growth of Armaments.* The hostile forces so far enumerated have converged slowly on to war from such various directions that they may be said to have surrounded and isolated it; its ultimate surrender can only be a matter of time. Of late, however, a new factor has appeared, of so urgent a character that it is fast rendering the question of the abolition of war acute: the over-growth of armaments. This is, practically, a modern factor in the situation, and while it is, on the surface, a luxury due to the large surplus of wealth in great modern states, it is also, if we look a little deeper, intimately connected with that decay of the warlike spirit due to selective breeding. It is the weak and timid woman who looks nervously under the bed for the burglar who is the last person she really desires to meet, and it is old, rich and unwarlike nations which take the lead in laboriously protecting themselves against enemies of whom there is no sign in any quarter. Within the last half-century only have the nations of the world begun to compete with each other in this timorous and costly rivalry. In the warlike days of old, armaments in time of peace consisted in little more than solid walls for defense, a supply of weapons stored away here and there, sometimes in a room attached to the parish church, and occasional martial exercises with the sword or the bow, which were little more than an amusement. The true fighting man trusted to his own strong right arm rather than to armaments, and considered that he was himself a match for any half-dozen of the enemy. Even in actual time of war it was often difficult to find either zeal or money to supply the munitions of war. The *Diary* of the industrious Pepys, who achieved so much for the English navy, shows

war. To use it against war seems to be to cast out Beelzebub by Beelzebub. Even in labor disputes the modern strike threatens to become as serious and, indeed, almost as sanguinary as the civil wars of ancient times. The tendency is, therefore, in progressive countries, as we see in Australia, to supersede strikes by conciliation and arbitration, just as war is tending to be superseded by international tribunals. These two aims are, however, absolutely distinct, and the introduction of law into the disputes between nations can have no direct effect on the disputes between social classes. It is quite possible, however, that it may have an indirect effect, and that when disputes between nations are settled in an orderly manner, social feeling will forbid disputes between classes to be settled in a disorderly manner.

that the care of the country's ships mainly depended on a few unimportant officials who had the greatest trouble in the world to secure attention to the most urgent and immediate needs.

A very difficult state of things prevails to-day. The existence of a party having for its watchword the cry for retrenchment and economy is scarcely possible in a modern state. All the leading political parties in every great state — if we leave aside the party of labor<sup>1</sup> — are equally eager to pile up the expenditure on armaments. It is the boast of each party, not that it spends less, but more, than its rivals on this source of expenditure, now the chief in every large state. Moreover, every new step in expenditure involves a still further step; each new improvement in attack or defense must immediately be answered by corresponding or better improvements on the part of rival powers, if they are not to be outclassed. Every year these moves and counter-moves necessarily become more extensive, more complex, more costly; while each counter-move involves the obsolescence of the improvements achieved by the previous move, so that the waste of energy and money keeps pace with the expenditure. It is well recognized that there is absolutely no possible limit to this process and its constantly increasing acceleration; and an increasing interest in the matter testifies to a vague alarm and anxiety concerning the ultimate issue. For it is felt that an inevitable crisis lies at the end of the path down which the nations are now moving.

Thus, from this point of view, the end of war is being attained by a process radically opposite to that by which in the social as well as in the physical organism ancient structures and functions are outgrown. The usual process is a gradual recession to a merely vestigial state. But here what may perhaps be the same ultimate result is being reached by the more alarming method of over-inflation and threatening collapse. It is an alarming process because those huge and heavily armed monsters of primeval days who furnish the zoölogical types corresponding to our modern over-armed states, themselves died out from the world when their unwieldy armament had reached its final point of expansion. Will our own modern states, one wonders, more fortunately succeed in escaping from the tough hides that ever more closely constrict them, and finally save their souls alive?

(7) *The Dominance of Social Reform.* The final factor in the situation is the growing dominance of the process of social reform. On the one hand, the increasing complexity of social organization renders necessary

<sup>1</sup> The author writes from the English point of view. — EDITOR.

a correspondingly increasing expenditure of money in diminishing its friction and aiding its elaboration; on the other hand, the still more rapidly increasing demands of armament render it ever more difficult to devote money to such social purposes. Everywhere even the most elementary provision for the finer breeding and higher well-being of a country's citizens is postponed to the clamor for ever new armaments. The situation thus created is rapidly becoming intolerable.

It is not alone the future of civilization which is forever menaced by the possibility of war; the past of civilization, with all the precious embodiments of its traditions, is even more fatally imperiled. As the world grows older and the ages recede, the richer, the more precious, the more fragile, become the ancient heirlooms of humanity. They constitute the final symbols of human glory; they cannot be too carefully guarded, too highly valued. But all the other dangers that threaten their integrity and safety, if put together, do not equal war. No land that has ever been a cradle of civilization but bears witness to this sad truth. All the sacred citadels, the glories of humanity, — Jerusalem and Athens, Rome and Constantinople, — have been ravaged by war, and, in every case, their ruin has been a disaster that can never be repaired. If we turn to the minor glories of more modern ages, the special treasure of England has been its parish churches, a treasure of unique charm in the world and the embodiment of the people's spirit: to-day in their battered and irreparable condition they are the monuments of a Civil War waged all over the country with ruthless religious ferocity. Spain, again, was a land which had stored up, during long centuries, nearly the whole of its accumulated possessions in every art, sacred and secular, of fabulous value, within the walls of its great fortress-like cathedrals; Napoleon's soldiers overran the land, and brought with them rapine and destruction; so that in many a shrine, as at Montserrat, we still can see how in a few days they turned a paradise into a desert. It is not only the West that has suffered. In China the rarest and loveliest wares and fabrics that the hand of man has wrought were stored in the Imperial Palace of Peking; the savage military hordes of the West broke in less than a century ago and recklessly trampled down and fired all that they could not loot. In every such case the loss is final; the exquisite incarnation of some stage in the soul of man that is forever gone is permanently diminished, deformed or annihilated.

At the present time all civilized countries are becoming keenly aware of the value of their embodied artistic possessions. This is shown, in the

most decisive manner possible, by the enormous prices placed upon them. Their pecuniary value enables even the stupidest and most unimaginative to realize the crime that is committed when they are ruthlessly and wantonly destroyed. Nor is it only the products of ancient art which have to-day become so peculiarly valuable. The products of modern science are only less valuable. So highly complex and elaborate is the mechanism now required to insure progress in some of the sciences that enormous sums of money, the most delicate skill, long periods of time, are necessary to produce it. Galileo could replace his telescope with but little trouble; the destruction of a single modern observatory would be almost a calamity to the human race.

Such considerations as these are, indeed, at last recognized in all civilized countries. The engines of destruction now placed at the service of war are vastly more potent than any used in the wars of the past. On the other hand, the value of the products they can destroy is raised in a correspondingly high degree. But a third factor is now intervening. And if the museums of Paris or the laboratories of Berlin were threatened by a hostile army it would certainly be felt that an international power, if it existed, should be empowered to intervene, at whatever cost to national susceptibilities, in order to keep the peace. Civilization, we now realize, is wrought out of inspirations and discoveries which are forever passed and repassed from land to land; it cannot be claimed by any individual land. A nation's art-products and its scientific activities are not mere national property; they are international possessions, for the joy and service of the whole world. The nations hold them in trust for humanity. The international force which will inspire respect for that truth it is our business to create.

There is to-day no country, however high it may stand in the comity of nations, which is not sometimes carried away by the blind fever of war. France, the land of reason, echoed, only forty years ago, with the mad cry, "*A Berlin!*" England, the friend of the small nationalities, jubilantly, with even an air of heroism, crushed underfoot the little South African republics, and hounded down every Englishman who withstood the madness of the crowd. The great, free, intelligent people of the United States went to war against Spain with a childlike faith in the preposterous legend of the blowing up of the *Maine*. There is no country which has not some such shameful page in its history, the record of some moment when its moral and intellectual prestige was besmirched in the eyes of the whole world. It pays for its momentary madness, it

may valiantly strive to atone for its injustice, but the damaging record remains. The supersession of war is needed not merely in the interests of the victims of aggression ; it is needed fully as much in the interests of the aggressors, driven by their own momentary passions, or by the ambitious follies of their rulers, toward crimes for which a terrible penalty is exacted. There has never been any country at every moment so virtuous and so wise that it has not sometimes needed to be saved from itself. For every country has sometimes gone mad, while every other country has looked on its madness with the mocking calm of clear-sighted intelligence, and perhaps with a pharisaical air of virtuous indignation.

During the single year of 1911 the process was unrolled in its most complete form. The first bad move — though it was a relatively small and inoffensive move — was made by France. The powers, after much deliberation, had come to certain conclusions concerning Morocco, and while giving France a predominant influence in that country, had carefully limited her power of action. But France, anxious to increase her hold on the land, sent out, with the usual pretexts, an unnecessary expedition to Fez. Had an international tribunal with an adequate force behind it been in existence, France would have been called upon to justify her action, and whether she succeeded or failed in such justification, no further evils would have occurred. But there was no force able or willing to call France to account, and the other powers found it a simpler plan to follow her example than to check it. In pursuance of this policy, Germany sent a warship to the Moroccan port of Agadir, using the same pretext as the French, with even less justification. When the supreme military power of the world wags even a finger the whole world is thrown into a state of consternation. That happened on the present occasion, though, as a matter of fact, giants are not given to reckless violence, and Germany, far from intending to break the world's peace, merely used her power to take advantage of France's bad move. She agreed to condone France's mistake, and to resign to her the Moroccan rights to which neither country had the slightest legitimate claim, in return for an enormous tract of land in another part of Africa. Now, so far, the game had been played in accordance with rules which, though by no means those of abstract justice, were fairly in accordance with the recognized practices of nations. But now another power was moved to far more openly unscrupulous action. It has long been recognized that if there must be a partition of North Africa, Italy's share is certainly Tripoli. The action of France and of Germany stirred up in Italy the feeling that now or

never was the moment for action, and with brutal recklessness, and the usual pretexts, now flimsier than ever, Italy made war on Turkey, without consent to mediation, in flagrant violation of her own undertakings at the Hague Peace Conference of 1899. There was now only one Mohammedan country left to attack, and it was Russia's turn to make the attack. Northern Persia — the most civilized and fruitful half of Persia — had been placed under the protection of Russia, and Russia, after cynically doing her best to make good government in Persia impossible, seized on the pretext of the bad government to invade the country. If the powers of Europe had wished to demonstrate the necessity for a great international tribunal, with a mighty force behind it to insure the observance of its decisions, they could not have devised a more effective demonstration.

The only question that remains — and it is a question the future alone will solve — is the particular point at which this ancient and overgrown stronghold of war, now being invested so vigorously from so many sides, will finally be overthrown, whether from within or from without, whether by its own inherent weakness, by the persuasive reasonableness of developing civilization, by the self-interest of the commercial and financial classes, or by the ruthless indignation of the proletariat. That is a problem still insoluble, but it is not impossible that some already living may witness its solution.

Two centuries ago the Abbé de Saint-Pierre set forth his scheme for a federation of the States of Europe, which meant, at that time, a federation of all the civilized states of the world. It was the age of great ideas, scattered abroad to germinate in more practical ages to come. The amiable Abbé enjoyed all the credit of his large and philanthropic conceptions. But no one dreamed of realizing them, and the forces which alone could realize them had not yet appeared above the horizon.<sup>1</sup> In

<sup>1</sup> The Abbé de Saint-Pierre (1658–1743), a churchman without vocation, was a Norman of noble family, and first published his "*Mémoires pour rendre la Paix Perpétuelle à l'Europe*" in 1722. As Siégler-Pascal well shows ("*Les Projets de l'Abbé de Saint-Pierre*," 1900), he was not a mere visionary Utopian, but an acute and far-seeing thinker, practical in his methods, a close observer, an experimentalist, and one of the first to attempt the employment of statistics. He was secretary to the French plenipotentiaries who negotiated the Treaty of Utrecht, and was thus probably put on the track of his scheme. He proposed that the various European states should name plenipotentiaries to form a permanent tribunal of compulsory arbitration for the settlement of all differences. If any state took up arms against one of the allies, the whole confederation would conjointly enter the field, at their



this matter, at all events, the world has progressed, and a federation of the States of the world is no longer the mere conception of a philosophic dreamer. The first step will be taken when two of the leading countries of the world — and it would be most reasonable for the states having the closest community of origin and language to take the initiative — resolve to submit all their differences without reserve to arbitration. As soon as a third power of magnitude joined this federation the nucleus would be constituted of a world state. Such a state would be able to impose peace on even the most recalcitrant outside states, for it would furnish that "visible power to keep them in awe," which Hobbes rightly declared to be indispensable; it could even, in the last resort, if necessary, enforce peace by war. Thus there might still be war in the world. But there would be no wars that were not Holy Wars. There are other methods than war of enforcing peace, and these such a federation of great states would be easily able to bring to bear on even the most warlike of states.

conjoint expense, against the offending state. He was opposed to absolute disarmament, an army being necessary to insure peace, but it must be a joint army composed of contingents from each power in the confederation. Saint-Pierre, it will be seen, had clearly grasped the essential facts of the situation as we see them to-day. "The author of 'The Project of Perpetual Peace,'" concludes Prof. Pierre Robert in a sympathetic summary of his career (Petit de Julleville, "Histoire de la Langue et de la Littérature Française," Vol. VI), "is the precursor of the twentieth century." His statue, we cannot doubt, will be a conspicuous object, beside Sully's, on the future palace of any international tribunal.

Even at the beginning of the fourteenth century France produced an advocate of international arbitration, Pierre Dubois (Petrus de Bosco), the Norman lawyer, a pupil of Thomas Aquinas. In the seventeenth century Émeric Crucé proposed, for the first time, to admit all peoples, without distinction of color or religion, to be represented at some central city where every state would have its perpetual ambassador, these representatives forming an assembly to adjudicate on international differences (Dubois and Crucé have lately been studied by Professor Vesnitch, *Revue d'Histoire Diplomatique*, January, 1911). The history of the various peace projects generally has been summarily related by Lagorgette in "Le Rôle de la Guerre," Part IV, Chapter VI, 1906.

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# World Peace Foundation

Pamphlet Series

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## TO THE PICKED HALF MILLION

BY

WILLIAM T. STEAD

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# TO THE PICKED HALF MILLION.

AN APPEAL TO THE UNIVERSITY STUDENTS OF THE WORLD.

BY WILLIAM T. STEAD.

*Address at the Conference of the Corda Fratres at The Hague, August, 1909.\**

It is an honor and a privilege to be requested to address the International Association of University Students on the subject of International Peace,—especially at this time. For we stand at a critical moment in the history of the human race, and it will greatly depend upon the graduates of our universities how that crisis is solved. Permit me, who have never been a graduate at any university,—having been compelled to leave school at the age of fourteen to help to earn my own living,—to speak as an outsider to you, whom I may regard as a representative audience of the half-million students who are at the present time enjoying the advantages of a university education.

I say half a million, but that is an outside estimate. In rough numbers there are in public and private colleges and universities in the United States 125,000 students, in Germany 50,000, in France 30,000, in Italy 25,000, in Russia and Great Britain fewer than 20,000 each. That leaves about a quarter of a million for the rest of the world, which is probably too large by half. But take it at that. Estimating the number of human beings who woke up this morning

\* At the close of August, 1909, a small but significant gathering of university students was held at The Hague. It was the annual meeting of the international association for mutual help and good comradeship, which is known as *Corda Fratres*. Rumors had been current as to a possible split in the camp, an event that would have been the more regrettable as the conference had every prospect of being able to extend its range of usefulness by effecting an alliance with the Association of American Students. Fortunately, the conflicting claims were reconciled, and provisional arrangements were made for affiliating to *Corda Fratres* the influential and numerous American group. *Corda Fratres*, therefore, instead of perishing of inanition and internal dissensions, issued from the crisis stronger than ever, with a much more promising outlook for the future. The meeting of the conference of the reconstituted and extended *Corda Fratres* seemed to me opportune for issuing an appeal to the university youth of all nations to band themselves together to promote the evolution of the International World-State. The thought that university students may play as great a rôle in promoting the unity of the race as the university youth of Germany, Italy, and the United States played in promoting or defending the unity of their respective countries has never left my mind since my visit to America in 1907, the time of the great American Peace Congress at Carnegie Hall, in New York, when I saw the enthusiasm with which Harvard and Yale men responded to the suggestion of a pilgrimage of peace. I therefore welcomed the opportunity afforded me by an invitation to address the Conference of Students at The Hague on the subject of the world's peace. The gist of my address is, the half-million university students of the world might, if they chose, or even if only one in ten chose, exercise a most useful influence on the evolution of society by banding themselves together in an International Students' League for the Peace of the World.—W. T. S. [The address here printed is slightly abridged.]

on this planet at 1,500 millions, each university graduate roughly represents 3,000 men, women and children who have not your advantages, who may be regarded as your constituency. To you it has been given to acquire learning and the wisdom of the ages, not for yourselves alone, but that you may see for others, hear for others and transmit to the others the garnered wealth of the culture of the world. In an age of democracy you are the intellectual aristocrats of the world, the natural and accepted leaders of the human race. Your scepter lies in your brain, to the development and efficiency of which the ablest men of the elder generation have devoted their lives.

On your bowed head the awful past  
Has laid its consecrating hands;  
The Future in its purpose vast  
Paused waiting your supreme command.

What word of command are you to give to the Future? For it is yours to command. The Future will obey. Not collectively, but individually, it is you men and women in the universities to-day who will for the next fifty years shape the history of the world.

You will observe that I say men and women. I emphasize women, because this recognition of the right, the power and the duty of women to share, and share equally, with men in all that goes to the guidance and the governance of the world is the first great word of the Twentieth Century. It lies on the threshold of human progress, and those who deny it, however excellent they may be in other respects, are men of the Reaction, who do not count save as the impedimenta which impede the march of the army of progress.

The world of the future is your domain, and you have all the lore of the world stored in your libraries to teach you how to rule it. It is because I do not think half of you—nay, ten per cent. of you—have ever realized that conception that I have accepted your invitation to address you to-day.

The world, I say, is your inheritance. Into your hands in a few years will pass all the accumulated treasures of civilization. All the glorious monuments reared by the piety or the patriotism of your ancestors, all the laboriously acquired science, and the records of the great inspirations of the world will be yours. Heirs of all the ages, I salute you! We of the older generation hand you the title-deeds of your empire. What are you going to do with it?

I have a message to you, which I hope I may be able to deliver with no uncertain sound. Would that it might ring in the ears of the

whole half-million university graduates of the world like the note of a silver clarion summoning them to battle. And I speak as if to soldiers suddenly roused from heavy slumber, who confusedly ask, Where is the enemy? What is the word of command?

First, I say, realize your responsibility as the foremost citizens and destined rulers of this planet. Spare a few moments every day from your classes and your sports to remember that the world is a whole and not a mere heterogeneous jumble of disconnected fragments. It is your duty, your destiny and your glory to assist in the evolution of the unity of the race from the chaos of jarring atoms. It used to be said of Cecil Rhodes that, while some men thought in parishes and others in countries, he thought in continents. I want you to rise still higher, and think of the planet as a unit and the human race as one great family. The more you realize that idea, the more clearly you will see the splendor of the task which lies before you and the immense significance of the present moment in the evolution of the World-State.

Nothing is more important for man than at the outset of his career to grasp firmly some idea great enough to serve him as a guiding star during the whole of his career. Nothing is worse for a man than an inadequate ideal or an ideal which can easily and speedily be realized. The ideal which I offer for your inspiration and direction is neither easy to be realized nor one which can be attained in a few years. It is one that demands, and is worthy to demand, the devotion of the rest of your lives.

Looking back over the history of the nineteenth century, nothing stands out more conspicuously than the splendid service rendered by the university youth of Germany and of Italy in the realization of the unity of their respective nationalities. Not less splendid was the enthusiasm with which the colleges of America gave up their noblest and their best to save the unity of the United States. But the unity of Germany, of Italy and of the United States,—these were but parochial trifles compared with the greater unity to which I invite you to dedicate your efforts.

For the great achievement that calls for your patient labor, your heroic endeavor, it may be for the sacrifice of your heart's blood, is the achievement of the unity of the world, the federation of mankind, the evolution of the Universal World-State. That ideal is so vast, although it is by no means so remote, that it can only appeal to those whose intelligence is of a comparatively high order. The very

conception will appear absurd to some. It will be inconceivable to others. But to you, the *élite* of the educated youth of the world, it should appear neither ridiculous nor incomprehensible. For, as I will proceed to show, it is slowly being evolved, almost unconsciously, amidst us, and it may in the next few years suddenly be forced forward with a sudden leap. I will venture to adduce some considerations which justify me as a practical politician in summoning you to this high emprise.

I am announced, I see, to speak on International Peace. It is an unpopular theme, especially with young men. I sympathize with the young men. The theme of peace has been the mother of barren platitudes which seldom lead to effective action. Peace, as usually represented, is a negative thing. "Thou shalt not fight." Negations seldom stir enthusiasm. Men, especially young men, require something more positive to live for and, if necessary, to die for than a mere abstinence from fighting. I am not here to preach platitudes. I want to rouse you to action. No ideal ever really rouses the hearts of men to great effort that does not offer them as reward some of the privations, the sufferings, the sacrifices which, as a practical matter of fact, are summed up briefly in the word "war."\* If you want to enlist men for a great cause, offer them wounds, imprisonment, death,—these are the magnets that attract the heroic soul,—not soft feather beds, comfortable salaries and snug pensions. Neither am I here to preach disarmament. To put disarmament before the establishment of the World-State is to put the cart before the horse. Armaments, moreover, are working out their own damnation. Nor must it be forgotten that the ruinous expenditure on armaments is a substitute for the far more ruinous expenditure on war. Nations do not test their strength by war: they have substituted for this the less bloody test of competition in preparation for war. No nation has spent more on its army than Germany, but since 1871 no German soldier has been summoned to shed his blood in European war. No nation has spent more on its navy than England, and, although she has built and rebuilt her navy half a dozen times in the last fifty years, none of her warships has ever had to go into action on the high seas.

Compare the thirty-eight years that have elapsed since the end of the Franco-German War with the corresponding thirty-eight years of the preceding three centuries, and you will be struck by the

\* The title of Mr. Stead's journal published on the eve of the first Hague Conference was "War against War."



extraordinary contrast between the peace of Europe now and the wars which racked it then. From 1771 to 1809, from 1671 to 1709, from 1571 to 1609, war was chronic in Europe. During the periods represented by Napoleon, Louis Quatorze and Henri Quatre war was normal. It is this prolonged period of peace which has made it possible to levy upon the labor of the world the constantly increasing tax of the cost of armament.

But it is not only wealth that has increased during this prolonged peace. Internationalism has been growing silently to an extent very little realized by any of us. Trade, commerce, railway, shipping, science, are all international. The post-office, the international railway, the cosmopolitan character of modern science, the newspaper, the magazine, all are weaving a web of internationalism under the surface. A French writer recently called the attention of the American public to the fact that the work of realizing the new ideal is going on constantly all around us. He said:—

World organism is no longer an ideal, but is an accomplished fact. The foundations in international life have been laid by the slow working of economic and social causes, guided by the conscious will of man, but responding to and logically expressing the deepest needs of human life. All those activities cannot be adequately protected or advanced by isolated States. There are in existence over sixty-five public international unions composed of States. Of these thirty are provided with administrative bureaux or commissions. We must realize our interdependence in practical affairs. It is through the creation of international organizations for all the interests of human life that a positive content of the feeling of a common humanity is being provided. For this purpose adequate institutions are to be created, so as to take international action out of the field of resolutions and to make it a part of the realities of human life. The void which the old cosmopolitan ideal left between the individual and humanity is thus being filled up by the creation of living institutions through which the individual may gradually learn to co-operate, in many groups, with all his fellow-men. The most important fact of which we have become conscious in our generation is that the unity of the world is real.

There was recently published at Brussels a volume to which I invite your attention, which sets forth in detail the names and addresses of all the existing international associations; and the number, the range and the variety of these associations will very much surprise those of you who do not look beneath the surface. . . .

When a crab has cast its shell, it is weak and helpless until its new shell forms. During that period of defenselessness it seeks refuge in a crevice in the rocks, where, safe-sheltered from its adversaries, it can grow strong and once more venture out into the sea. The international and cosmopolitan spirit of mankind during the last century was

very much like the defenseless crab. It took shelter out of sight under huge overhanging masses of armaments. But there in its retreat the beneficent work of nature has gone on, and now it is about ready to emerge once more, visible and triumphant, as a dominant force among men. Those of you who desire to array yourselves on the side of the coming truth will do well to hasten to assist the growth of internationalism by all means in your power.

How can you do it? you ask. First, by constantly thinking of the ideal of the International World-State; secondly, by never losing an opportunity to communicate to others the faith that is within you, especially to those who are opposed to you; and, thirdly, by doing whatever you can to promote between the nations the good feeling that prevails between the various provinces of a single State. That is your work as an individual, in your colleges, in your homes, in your localities. But there are certain great objects which must be kept constantly in view.

First, there is the promotion of a healthy public opinion on the subject of the Hague Conference. That body, much derided by the fools of the world, represents a faltering, stumbling forward step of humanity toward the creation of an International World-State, with its periodical parliament and its permanent court of arbitral justice. The first Hague Conference of 1899 was confined to only a section, although the larger section, of the human race. The second Hague Conference contained representatives of every sovereign State save Abyssinia, Honduras, Morocco, Liberia and Costa Rica. The Hague projects are working plans drawn up by responsible Governments of the world for the foundations of the International World-State. It is upon these lines that the human race is progressing to unity. The very ruinously costly expenditure on armies and navies acts as a constantly increasing pressure upon all nations to pay more and more attention to the creation of that central federal World Tribunal and World Legislature. In this as in many other ways good comes out of evil, and the result is exactly contrary to the intent.

It may be said that this is all very well, but there is nothing heroic in merely thinking and talking—although some of the world's greatest heroes only thought and talked, while their thoughts and words made the world act—and that there is nothing very urgent in the Hague Conference, which will not meet again for five or six years. To which objection I reply that since the Hague Conference met a new factor has come into the international situation which alters everything.

It is the advent of the *aéroplane* which constitutes the special urgency of the present moment. It may seem a paradox to some that, at a moment when every nation is increasing its naval construction to the uttermost, I should speak so confidently of the *aéroplane* as likely to lead to the discontinuance of the building of dreadnoughts. It is probable that the trade of the armorer was never more brisk than in the decade immediately before the use of gunpowder rendered armor a cumbrous and useless impediment to fighting efficiency. The artificers of bows and arrows probably looked down with supreme contempt upon those who warned them that the battles of the future would be decided not by the gray-goose shaft but by villainous saltpeter. Nevertheless, coats of armor must now be sought for in museums, and the long-bow and the cross-bow alike survive only as the toys of the school-boy. It does not require much prescience to foresee that armaments will soon go the way of armor, and that twelve-inch guns will soon be as obsolete as the six-foot bow. The coming of the *aéroplane* will revolutionize everything. Austria, it is said, is about to launch out into a huge expenditure on dreadnoughts. The King of Italy showed a keener insight into the probabilities of the future when he said two years ago, "Why should we spend ten millions over a huge ironclad, when there is every reason to believe an *aéroplane* costing no more than a motor-car may reduce it to old iron before it leaves the stocks?" I still have a lively sense of the emphasis with which M. d'Aehrenthal assured me on the eve of the late Hague Conference that peace apostles could not be more profitably employed than in urging the parliaments of the world to make grants for the building of airships, for, when the airships come, frontiers, fortresses, fleets—everything goes. The German Minister for Foreign Affairs told me in 1907 that they never for a moment allowed themselves to lose sight of the airship, because when that comes it will revolutionize everything. The airship has come, and come to stay. The success with which the Channel was crossed by M. Blériot profoundly stirred the imagination of mankind, but at present we are only at the beginning of things. Mr. Edison has publicly predicted that within a few years all mails and express passengers will be forwarded by *aéroplanes* traveling at the rate of 100 miles an hour. We do not need to believe that such a prediction will be fulfilled to the letter, but it is obvious we are entering upon an era in which the old methods of warfare and the old barriers between States will appear as fantastic anachronisms.

It is admitted, even by the skeptics, that there may after all be "something in it." But what that something is few persons, save imaginative speculators like Mr. H. G. Wells, have even dimly begun to conceive. What the airship carries beneath its planes is one of the most far-reaching revolutions that has ever transformed the world. That revolution may be beneficent beyond the hopes of the greatest Utopians or it may be maleficent beyond the fears of the worst pessimist. The *aéroplane* may be called the *avant-courier* of the International World-State or the herald of the ruin of civilization. "Be my brother, or I will slay thee," the French Revolutionist's formula, will now be revived with an infinitely wider application, because the airship represents an addition to the force of destruction so vast, so incalculable, that it places human society at the mercy of any of its component parts. The *aéroplane* dashing through the air at 100 miles an hour, capable of dropping 100 lbs. of high explosives or of asphyxiating shells on any point from any height, is the nearest approximation which mankind has made to the discovery of Vril. It was by the invention of Vril—that potent compound of electricity and dynamite by which a child could destroy an army by waving a wand—that Lord Lytton prophesied the ultimate extinction of war. The *aéroplane* is the next step to Vril.

The opportunity which this gives to the Anarchist and the desperado was perceived years ago by M. Azev when he recommended the Russian Revolutionists to resort to the *aéroplane* as the most effective means of destroying the government. If the governments do not cease their absolutely fatuous habit of preparing for war with each other, they may find themselves confronted by forces of disorder armed with new and invincible weapons, against which they themselves will be powerless. Should they let hell loose by making war upon each other, Heaven itself would rain hell-fire upon the modern cities of the plain. In sheer self-defense the instinct of self-preservation ought to compel governments to federate into one international World-State, with international tribunals interpreting the laws of an international Parliament, whose decisions would be enforced by an Executive without whose command appeal to force on earth or air or sea would be absolutely forbidden.

The minds of men, especially of ruling men, are slow to perceive the signs of the times. But the *aéroplane*, which renders armaments obsolete, will probably open their eyes to its significance by abolishing frontiers. The smugglers of the air will have everything their own

way. It will be impossible to enforce the payment of customs duties on any goods save those which are imported by the ton. The drying up of the customs revenue may predispose governments first to reduce and then to abandon their armaments. But meantime all the more thoughtful among us will do well to fix our minds upon the supreme question: When the old order goes, what is to take the place of war?

If this be so, the question immediately arises as to what part the youth of the universities should take in view of possibilities so momentous. We are face to face either with so tremendous a catastrophe as a world-wasting war waged from the air or, on the other hand, with the possibility that, realizing the consequences of such a disaster, the statesmen and sovereigns of the world may recognize the fact that war has become an anachronism, and set about devising some other means for settling the controversies of nations.

I should like to suggest for your consideration whether it would be possible to organize groups of university graduates in every university for the purpose of joint action. The university youth can do a great deal more than has at present been attempted.

If in every university there were a group of, say, a dozen young men and women who firmly grasped the fundamental truth that the International World-State is coming into existence, and if they were to think and discuss together how best to meet this new and portentous issue, a good deal might be done to lead public opinion in the right direction. But you might ask me, What can be done? Nations, like individuals, must have some way of settling disputes. Better decision by spinning a coin in the air or drawing lots than no decision at all. Fortunately there is no necessity to refer to such a haphazard method of solving disputes. If once it is recognized that an appeal to war might mean the destruction of civilization, the Powers would sooner or later be able to agree as to the constitution of the International Supreme Court, which foundered at the last Hague Conference on the question of the selection of the judges.

The Tribunal already exists on paper, and there exists also a general agreement that resort should be had to such a Tribunal in a great number of specified classes of disputes. What is wanted is just a little increased emphasis. The Powers universally agree that a certain course is the best course to take, but, unfortunately, while they are prepared to assert that it is the best course for all their neighbors, they are not always of opinion that it is the best course for

themselves. It is, therefore, necessary to put pressure upon any recalcitrant Power. The method of doing this is plainly indicated by the proceedings of the Hague Conference.

All the Powers who sign the Hague Convention recognize it as their duty, whenever a dispute arises to threaten a breach of the peace, to remind the disputants of the existence of the Hague Court and to call their attention to the recommendations of the Hague Convention. The question as to who should take the initiative in giving effect to this recommendation was unfortunately left undecided at the first Conference, and an attempt to solve the problem was equally unsuccessful at the second Conference. It is quite obvious that, if any serious dispute arose between great Powers, unless this duty of calling attention to the existence of the Hague Court were definitely imposed upon some Powers, or some Chancellery receiving instruction from all the Powers, it is one which is never likely to be fulfilled. What is anybody's business is nobody's business.

Our late Prime Minister, Sir Henry Campbell-Bannerman, suggested that it would be well if a League of Peace could be formed, in which all those nations which sincerely desired to secure peace would enter into a covenant with each other to take joint action, and which might result, among other things, in the reduction of armaments. What we are looking after just now is not the reduction of armaments so much as the removal of the occasion which might bring these armaments into use. I would suggest to the International Students' Association for the Promotion of International Peace that they might adopt as their first object an appeal to all the signatories of the Hague Convention to enter into an agreement to the effect that, should any dispute arise threatening war, each of the parties to that agreement would individually or collectively, or both individually and collectively, appeal to all the other signatories of the Hague Convention to discharge the duty which they have of acting under Article VIII.\*

If this suggestion were adopted, a certain number of Powers might

\* Article VIII of the Convention for the Pacific Settlement of International Disputes occurs in Part II, relating to Good Offices and Mediation. It reads:—

"The contracting powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form:

"In case of a serious difference endangering peace, the states at variance choose respectively a power, to which they intrust the mission of entering into direct communication with the power chosen on the other side, with the object of preventing the rupture of pacific relations.

"For the period of this mandate, the term of which, unless otherwise stipulated, cannot exceed thirty days, the states in dispute cease from all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating powers, which must use their best efforts to settle it.

"In case of a definite rupture of pacific relations, these powers are charged with the joint task of taking advantage of any opportunity to restore peace."

be willing to enter into such a League for maintaining the general peace. Even if a single Power, such as the United States, which is almost the only Power in the world that can act independently, should undertake this, other Powers might be willing to support this initiative, and by this means any States which threatened to go to war would find themselves confronted by a significant reminder from all the other signatories of the Hague Convention that the Hague Tribunal exists for the settling of such disputes, and that in the common interest it would be well if they adopted some of the peace-making methods laid down in the Hague Convention. It was a great thing to recognize that all the Powers in the world owe a duty to each other in this matter. From this it is a natural corollary to proceed to providing betimes for the performance of this duty. This could be done if Article VIII were strengthened in the manner which I have suggested.

But it may be said that this does not carry us very far, and that at the best it would only confront any Power which refused to appeal to the Hague Convention or to invoke special mediation with the unanimous opinion of the rest of the civilized world in condemnation of an appeal to arms. Such an expression of opinion would enable whichever disputant was willing to accept arbitration then to go into battle with the moral support of all the neutral Powers.

This would not in all cases deter every government from appealing to the sword. But no Power, not even the strongest, would like to go to war branded by the rest of the world as the lawless disturber of the general peace. Such a declaration would increase the chances, with which every prospective belligerent has to reckon, that some or other of the neutral Powers might regard it as their duty or their interest to take sides in the war before it was fought to a finish. But I would not have the International States League for International Peace confine itself solely to putting in motion the diplomacy of Foreign Offices. That is a good thing to do, but more remains behind.

If the strengthening of Article VIII should be the first object of such a League, the recommendation of an international boycott should be the second, and it is to this that I attach far the greatest importance. It is too often forgotten that the peoples of the world have another and very effective means of bringing pressure to bear upon any belligerent who sets at defiance the moral sense of mankind, without resorting to the *ultima ratio* of Kings. The members of the Hague Conference were reminded during their stay at The Hague that

the use of the boycott against any Power which refused arbitration was the only method of coercion which was expressly authorized by the founder of the Christian religion. Jesus Christ never suggested any method of enforcing the principles of the religion which He came to teach excepting in one instance, and that is the case in point. As this is a matter of so much importance, it is well to quote the exact words. They will be found in the eighteenth chapter of Matthew, the fifteenth, sixteenth and seventeenth verses:—

Moreover if thy brother shall trespass against thee, go and tell him his fault between thee and him alone: if he shall hear thee, thou hast gained thy brother.

But if he will not hear thee, then take with thee one or two more, that in the mouth of two or three witnesses every word may be established.

And if he shall neglect to hear them, tell it unto the church: but if he neglect to hear the church, let him be unto thee as an heathen man and a publican.

Here we have distinctly set forth: first, the direct method of diplomacy; secondly, the appeal to friendly mediation; thirdly, the reference to an impartial tribunal which Christ called the Church, but the like of which in our day can only be found at The Hague. If any Power in dispute refuses to refer the question to the Hague Tribunal, or, having referred it, refuses to abide by its verdict, then the duty of all Christian nations is clear: the recalcitrant disputant must be treated as the heathen man and the publican. He must be treated as a man with whom the other States can have no dealing. In other words, he must be boycotted. There would be, of course, practical difficulties in the way of enforcing this boycott. But, if the moral sentiment of the nations were aroused, it might be carried out to an extent that would exercise a very considerable pressure upon the offending Power.\*

In the first place, no loan could be raised in any neutral country. No neutral money would be forthcoming to enable the belligerent to carry on his campaign, while all the money markets of the world would be open to the other party to the dispute which had been willing to refer the question to arbitration and had the war forced upon it against its will. In the second place, a general agreement to refuse to buy or sell with the subjects of the offending Power would strike at the trade which every nation is anxious to develop. The Chinese boycott against American goods proved a very effective weapon against the anti-Chinese policy which America at one time seemed disposed to adopt. There is a boycott of Japanese goods at the present

\* See the development of this thought of the international application of non-intercourse by Justice Brewer in "Mohonk Addresses," p. 109.—*Editor*.



moment going on in Canton which is exercising a marked influence upon the counsels of the Japanese government. But the most striking instance occurs nearer home. After the seizure of Bosnia the Turkish people decided upon a boycott of Austrian goods. The movement was entirely spontaneous, and afforded a welcome outlet for giving expression to the offended moral sense of the Turkish peoples. It has been so efficacious that the Austrian government is talking about issuing an ultimatum and withdrawing its ambassador if the boycott is not raised. But the Turkish government has replied with strict correctness that the government has nothing to do with the boycott, which has been instituted and is being enforced solely by the wish of the people to abstain from purchasing goods sold by the subjects of a Power which, in their opinion, had violated international law and perpetrated an unwarrantable outrage upon the integrity of their country.

The international boycott is the revival of the old interdict of the Church of Rome, adapted to modern uses and wielded in the interest of international and general peace. It is a definite program and free from all sentimentality or impracticable idealism. First, let us ask that the signatories of the Hague Convention should agree to take collective action under Article VIII, thereby placing under the ban whichever disputant refused to refer the dispute to the Hague Tribunal or to special mediation. Secondly, should either of the disputants precipitate war by refusing the appeal to arbitration, then let our groups of students take the initiative in organizing in all countries a great international boycott, which would have the effect of cutting off the subjects of the offending Power from the markets of the world.

It is hardly too much to say that, if public sentiment in the United States of America were sufficiently raised to close the American market against any European belligerent thus placed under the ban for refusing arbitration and disregarding the recommendations of the Hague Convention, no Power in Europe would become belligerent. The force of such international boycott would increase in effectiveness with every additional nation which joined to enforce the interdict.

All this has been true ever since the Hague Convention started, but it has become more than ever urgent to-day, for if the aeroplane renders the old armies and navies obsolete, and if we dare not carry war into the air on any great scale without the risk of wrecking civilization, then it is obvious that some method of bringing recalcitrant States to obedience must be adopted. I see no other method of

coercion that is at once so simple, so effective and so capable of being brought into general action as a general agreement to enforce a universal boycott against the subjects of any State which refused to refer its disputes to the adjudication of a central tribunal of arbitral justice.

Such, gentlemen, seem to me the lines of advance which will be made in any case; but the way may be much longer than it might be if the youth of the world, fired by generous enthusiasm and a clear perception of the possibility before them, were to band themselves together to bring about the realization of the great ideal of the International World-State. It may seem strange to some to speak of the *aëroplane* as if it were the herald angel of the reign of peace, but fifty years ago Tennyson forever linked together the coming conquest of the air with the abolition of war. Let me close this address by quoting once more the familiar lines in which the poet embodied his prophetic vision in the middle of the last century:—

Men, my brothers, men the workers, ever reaping something new:  
That which they have done but earnest of the things that they shall do;

For I dipt into the future, far as human eye could see,  
Saw the Vision of the world, and all the wonder that would be;

Saw the heavens fill with commerce, argosies of magic sails,  
Pilots of the purple twilight, dropping down with costly bales;

Heard the heavens fill with shouting, and there rained a ghastly dew  
From the nations' airy navies grappling in the central blue;

Far along the world-wide whisper of the south-wind rushing warm,  
With the standards of the peoples plunging through the thunder-storm;

Till the war-drum throbbed no longer, and the battle-flags were furled  
In the Parliament of Man, the Federation of the World.

There the common sense of most shall hold a fretful realm in awe,  
And the kindly earth shall slumber, lapt in universal law.

# World Peace Foundation

## Pamphlet Series

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# OUR DUTY

CONCERNING THE

# PANAMA CANAL TOLLS

BY

THOMAS RAEBURN WHITE

and

CHARLEMAGNE TOWER

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# THE DUTY TO ARBITRATE THE PANAMA TOLLS QUESTION.

BY THOMAS RAEBURN WHITE.<sup>1</sup>

The question at issue between Great Britain and the United States concerning the Panama tolls relates exclusively to the interpretation of a treaty. The United States has asserted a construction of that treaty. A statute has been enacted by Congress and approved by the President. That statute assumes that United States vessels of a certain class may be allowed to pass free through the canal, while foreign ships are charged tolls. It has vested in the executive power to fix charges of traffic in accord with this construction. Great Britain, on the other hand, has asserted a contrary construction. "You cannot, under the treaty," says she, "discriminate in favor of American ships and against British ships." Here is a sharply defined issue as to the meaning of the treaty. How shall it be decided? Great Britain requests that it be submitted to arbitration. Assuming that the United States refuses to recede from her position, and granting that negotiation does not settle the matter, what should be the answer to that request?

If we are inclined to answer it in the negative, we are immediately placed on the defensive when Great Britain points to the terms of the arbitration treaty of 1908 between the two countries, which provides: "Differences which may arise of a legal nature or relating to the interpretation of treaties . . . shall be referred to the Permanent Court of Arbitration at The Hague, . . . provided nevertheless that they do not affect the vital interests, the independence or the honor of the two contracting states." *Prima facie* we must arbitrate, for we have agreed to do it. The case is within the very words of the treaty.

But there are those who say that, notwithstanding the treaty, we should maintain our position and should refuse to arbitrate. Let

<sup>1</sup> Address at the Lake Mohonk Conference on International Arbitration, May 16, 1913.

us examine the reasons which have been put forward in support of this view.

The first is in an effort to escape altogether the force of the arbitration treaty. It is said no international difference exists and, therefore, the treaty is not applicable; that the matter is exclusively one of domestic policy; that we own the canal and the territory through which it runs; and that no other nation has any right to inquire whether we shall charge tolls to our own vessels.

This argument is based upon a fallacy. It is not a domestic question. We do not own the canal in any private or exclusive sense. It is a great international waterway. The Isthmus of Panama is a place designed by nature for such a waterway, and there is authority in international law for the proposition that one nation, even if absolute owner thereof, could not exclude other nations from equal use of such a canal. If we have any rights upon the isthmus at all, considering the way in which we got there, it is on the theory that we were acting not for our own private interests, but in the name of civilization for all the nations of the earth. The question, therefore, cannot be one of domestic policy. But, even if it were a matter of domestic policy, we have made it an international matter, for we have made a treaty about it. Even a matter of domestic concern becomes international in character, if two nations make it the subject of a treaty. As we have agreed with Great Britain that her vessels and ours shall use the canal on terms of entire equality, an international question is necessarily involved.

But, in the second place, it is said that, if we must admit an international question is involved by force of the treaty, then, rather than arbitrate, we will abrogate the Hay-Pauncefote treaty, and a bill has been introduced in Congress for that purpose. This is a bold step, also calculated to escape the binding force of the treaty. But can it be done? By this I do not mean, Is it within the power of the United States to abrogate the treaty? Of course, it is within her power: any sovereign state can violate her obligations if she chooses. But would such abrogation be sanctioned by international law or practice or by the public opinion of the civilized world? On this point there can be no two opinions. A treaty of a permanent nature between two nations can only be abrogated contrary to its terms where it plainly contemplates the continued existence of conditions which have ceased to exist. Is there any such pretense here? It is said there has been a change of territorial sovereignty; that

the Hay-Pauncefote treaty did not contemplate the construction of a canal through territory owned by the United States. But the answer to this contention is found in the treaty itself, which in Article 4 provides that "it is agreed that no change of territorial sovereignty or of international relations of the country or countries traversed by the before-mentioned canal shall affect the general principle of neutralization or the obligation of the high contracting parties under the present treaty."

But there is a further consideration. The Hay-Pauncefote treaty was in reality more than a mere agreement between two nations. It was an adoption of a system of rules already in force for the conduct of the only other international waterway comparable to this,—the Suez Canal,—a system of rules sanctioned by the civilized world as the proper system for governing such a waterway. While the United States and Great Britain were the only parties to the treaty, it is not to be overlooked that, as they are the two great nations dominating the western world, the other nations doubtless assumed that their interests were sufficiently protected by the guaranty of the United States, concurred in by Great Britain, that the ships of all nations should have equal treatment. As such canals are considered in international law as existing for the common benefit of mankind, and as there has been general acquiescence in the system of rules adopted for their control, these rules may be accepted as constituting a standard of conduct for this class of cases from which a state cannot depart without committing a breach of the *modus vivendi* of nations. The United States, therefore, cannot abrogate the treaty and violate the guaranties hitherto entered into without not only a violation of her agreement with England, but also a clear breach of international good conduct, which would give rise to claims for reparation from yet other nations.

Thirdly, admitting the binding force of the treaty, it is said—and this was the point raised by Secretary Knox—that no case for arbitration has arisen because no injury has yet been suffered. This objection is at most a technicality, which does not go to the merits of the question. A difference has arisen relating to the interpretation of a treaty, the very case covered by the language of the arbitration treaty of 1908, and there is no valid reason why it should not be submitted to arbitration before rather than after the infliction of actual injury. Such a course would certainly tend to avoid international friction. The argument against this position assumes that,

until some injury has been suffered, a question existing between two nations is academic or political rather than legal, and that political questions are not susceptible of being decided by courts of arbitration. But, even if the question be political, that is not a conclusive reason, or indeed any reason, why it should not be arbitrated. The Final Acts of both Hague Conferences expressly state that "the submission to arbitration . . . may embrace *any* disputes," which includes political disputes, and the language of the arbitration treaty of 1908 in providing that "differences . . . relating to the interpretation of treaties" should be submitted to arbitration does not exclude political differences of this character.

But, aside from this, it is not clear that no injury has as yet been inflicted. The announcement by a solemn act of legislation of the interpretation placed upon the Hay-Pauncefote treaty by the United States is in effect a declaration that discrimination can legally be made in favor of United States vessels. Although no vessels have passed through the canal, and no discriminative rates have actually been imposed with consequent effect upon commerce, it cannot be said that no injury has been inflicted by this declaration of the interpretation of the treaty. Doubtless preparations are now being made in some quarters for the carrying of commerce through the canal, and the industries engaged in preparing for such commerce, either in the building of ships or in the arranging of other matters preliminary thereto, may be, and probably have been, unfavorably affected. The contention that no injury has been suffered, therefore, falls to the ground, and for this additional reason the argument based on this thought has no substantial basis.

In the fourth place there are those who conceive we should decline to arbitrate on the ground that our vital interests are involved, and, therefore, we are within the exceptions of the arbitration treaty of 1908. In discussing this phase of the matter, we should consider what character of questions we have arbitrated in the past, and especially with Great Britain,—whether they have been merely petty matters or of as great importance as that now before us.

The history of arbitrations between Great Britain and the United States has been a notable one. It began almost immediately after the treaty of Paris in 1782. A vast and unknown wilderness lay between the settlements of the United States and Canada. The boundary line was traced through that wilderness by the commissioners who



negotiated the treaty of peace to the best of their ability. But by reason of insufficient knowledge of the topography of the country and the lack of accurate maps the boundary line had to be subsequently fixed in almost every part either by direct negotiation or by commission or by arbitration. At the eastern end the identity of the St. Croix River, forming part of the boundary, was decided in 1797 by arbitration. At the western end the long dispute was ended three-quarters of a century later by the decision of the arbitrators in the case of the San Juan water boundary. Much of the boundary line between these limits and these dates was fixed in a similar manner.

In comparison with these mighty problems, involving hundreds of thousands of square miles of territory, affecting the vital interests of both nations, and concerning which there was an earnest discussion, if not an acrimonious controversy, for a period of nearly one hundred years, how small seems the question whether we shall have the right to grant what is in effect a small subsidy to a limited number of coasting vessels!

But there is another instance, passing over the numerous lesser ones, which will immediately occur to your minds. I refer, of course, to the Geneva Arbitration and the *Alabama* claims. Only twice in our history has the United States been so nearly in conflict with Great Britain as she was at the close of the Civil War. The premature recognition of the belligerency of the Southern States; the cloud of blockade runners which issued from British ports, carrying arms and supplies to the Southern armies; the scarcely veiled sympathy of official England, if not of the English people, for the South; the destruction of United States shipping by vessels of war which, it was believed, had been fitted out in British ports, until, as Charles Sumner put it on the floor of the Senate, the ocean was ablaze from these pirate ships,—all these things stirred the nation to the depths, and the demand for redress was insistent and uncompromising.

But, on the other hand, consider the position of Great Britain. A serious claim had been made against her, a charge that she had violated the laws of neutrality, that she had been guilty of bad faith. These questions affected her honor; and in 1865 Earl Russell, who was then conducting the correspondence on behalf of Great Britain, said that "neither of the questions as to which arbitration had been suggested could be put to a foreign government with any regard to the dignity and character of the British Crown and the British Nation. Her Majesty's government are the sole guardians of their own honor.

They cannot admit that they have acted with bad faith in maintaining the neutrality they professed."

Great Britain had little to gain and much to lose by yielding to the demand of the United States that the questions at issue should be submitted to arbitration. But she yielded. Notwithstanding the questions involved her honor and notwithstanding the protests of a considerable and respectable portion of her own citizens, she yielded; and the result was the Geneva Arbitration, which has been aptly termed "the noblest spectacle of modern times, in which two great and powerful nations, gaining in wisdom and self-control and losing nothing in patriotism or self-respect, taught the world that the magnitude of a controversy need not be a bar to its peaceful solution."<sup>2</sup>

As compared with the issue thus submitted and decided, how trivial, how less than trivial, seems the question now at stake! It does not concern our honor or vital interests, as those words have been construed by us in cases where we have demanded arbitration of Great Britain.

Fifthly,—and this is a reason not based upon logical but solely upon practical grounds,—it is said the United States could not get a fair hearing before any court composed of judges of the Hague Tribunal, because all European nations are interested in the controversy. While it is not to be supposed the judges of the Hague Court would intend to be otherwise than fair and impartial, yet the danger of unconscious bias would exist and there is much truth in this contention. A discussion thereof may be avoided, however, by pointing out that Great Britain has not requested that the question be submitted to the Hague Tribunal, but has merely suggested that it be arbitrated. There is no reason to suppose she would not consent to the establishment of a tribunal in any way which would be fair to both parties. I have little doubt that, if the question were submitted to a court consisting of an equal number of judges of the highest courts of England and America, they would have no difficulty in deciding it, and probably without any dissenting opinions.

Sixthly and lastly, there are some patriotic gentlemen in Congress and out of it who say without assigning any reasons that we will not arbitrate, but will decide the question for ourselves; that we will be the judge in our own cause. But the United States cannot afford to take that position. We have claimed to be, and have been, the leader in the cause of international arbitration. It has been our

<sup>2</sup> John Bassett Moore in "The United States and International Arbitration."

especial concern almost from the foundation of the nation. The occasions upon which Congresses and Presidents and secretaries of state and other officers have urged upon the world the desirability of providing for the peaceful settlement of international disputes through submission to arbitration could scarcely be enumerated in the time allotted to these remarks.

We co-operated in establishing the Permanent Court of Arbitration at The Hague; we took a leading and most honorable part in the effort to secure from the Second Hague Conference the establishment of a real international court of justice; and we have declared in the most solemn manner, upon many occasions, that we are in favor of treaties providing for the compulsory submission of international disputes to such courts.

We have declared, but these declarations have been for the most part mere statements of abstract principles; we have arbitrated, but these arbitrations have been almost entirely in cases where the decision was not within our own power and where we were confident we would win. But now, when the first real test has come,—when an occasion has arisen where we have the power to say we will be the judge of our own conduct, and where it is at least doubtful whether we would win if we submitted to arbitration,—what are we about to do? Are we about to renounce all our previous professions? Although we have insisted that others should submit our claims against them to arbitration, are we now about to refuse them the same justice we demanded? To do this would violate our solemn contract to arbitrate questions of this character, would convict us of insincerity in our advocacy of the principle of international arbitration, and would so injure our prestige that we could not with hope of success undertake further efforts in this field. I cannot believe the American people will so decree. We have not been hypocritical in our professions. When we have said, as we have said on many occasions, that we believe international questions should be decided in the judicial chamber rather than upon the field of battle, we have meant what we said, and, as we have insisted upon the application of this principle to others, we will insist upon its application to ourselves.

Our country's greatness has consisted not in the size of its fleets or armies, but in the maintenance of high ideals of justice and fair dealing and the keeping of contracts among the nations. We must continue to maintain and practice those ideals if we would continue

to receive the respect and confidence of mankind. We must be willing to submit disputes to arbitration, even though in danger of losing, where the nature of the case and our traditional policy demand that we should do so.

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## THE TREATY OBLIGATIONS OF THE UNITED STATES.<sup>1</sup>

BY CHARLEMAGNE TOWER.

The subject of a canal across the narrow strip of land that joins the two Continents is one that is nearly contemporaneous with the discovery of America; for its advantages made themselves evident even to the earliest explorers and navigators, who upon returning to Spain, in 1528,—more than 150 years before William Penn entered the Delaware,—presented to the Emperor Charles V a plan for the opening of a waterway through the Isthmus of Panama, a project that never was lost sight of and which acquired greater importance to us, both from our political and commercial point of view, after our separation from Great Britain and the establishment of our independent nationality.

In 1826 Mr. Clay, then Secretary of State, wrote, in connection with the International American Conference at Panama:—

A cut or canal for purposes of navigation somewhere through the isthmus that connects the two Americas, to unite the Pacific and Atlantic Oceans, will form a proper subject of consideration. That vast object, if it should be ever accomplished, will be interesting, in a greater or less degree, to all parts of the world.

We were not in a position at that time to think of undertaking such a work ourselves, though our government was alert to the opportunity, and wished to participate in the advantages that would arise from a canal, and Mr. Clay added:—

If the work should ever be executed so as to admit of the passage of sea-vessels from ocean to ocean, the benefit of it ought not to be exclusively appropriated to any one nation, but should be extended to all parts of the globe upon the payment of a just compensation or reasonable tolls.

<sup>1</sup> Extracts from an address at the Lake Mohonk Conference on International Arbitration May 16, 1913.

The progress of events, and the growth of our importance as a nation, enlarged the interest of the people of the United States in the passage through the isthmus, which was taken up in the Senate, where a resolution was adopted on March 3, 1835. Four years later the question again arose in the House of Representatives in compliance with a memorial from the merchants of New York and Philadelphia. A resolution, employing the language previously used in the Senate, was adopted by the House, which voted that the President should be requested "to consider the expediency of opening or continuing negotiations with the governments of other nations, and particularly with those the territorial jurisdiction of which comprehends the Isthmus of Panama, for the purpose of ascertaining the practicability of affecting a communication between the Atlantic and Pacific Oceans by the construction of a ship canal across the isthmus, and of securing forever the free and equal right of navigating such canal to all nations."

And a treaty was entered into seven years later, in 1846, between the United States and the Republic of New Granada which was the first effective step taken by our government in the direction of the actual transit across the isthmus and of our participation in its construction and maintenance of way.<sup>2</sup> This was a treaty of peace, amity, navigation and commerce with New Granada, and continued in operation by the Republic of Colombia, into which that state was subsequently transformed; and it is to this agreement, entered into by us during the administration of President Polk, through an immense amount of negotiation and correspondence that has taken place since between ourselves and other governments, particularly those of the Central and South American Republics as well as Great Britain and France, that may be traced the origin of the interests and claims under which the United States have constructed the canal and are in control of the territory of the canal zone on the isthmus to-day. The treaty extended to the citizens of the United States all the privileges and immunities of commerce and navigation in the ports of New Granada that were enjoyed by the Granadian citizens themselves, and the government of New Granada guaranteed to the United States, "that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist, or may be hereafter constructed, shall be open and free to the government and citizens of the United States." In return for these

<sup>2</sup> For full text see Moore, *Digest of International Law*, iii, 5.

favors the United States guaranteed, "positively and efficaciously, to New Granada the perfect neutrality of the isthmus, with the view that the free transit from the one to the other sea may not be interrupted in any future time while this treaty exists; and, in consequence, the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory."

Therefore, we had acquired a controlling influence at Panama which enabled us to play so prominent a part that we might begin to make effective plans for the construction of a canal. Whether we should decide to build it ourselves or whether the work should be done by others, it was quite certain that no canal could be made without our consent. . . . Our attitude was made plain by the message with which the President submitted this treaty to the Senate, in 1847, for its approval and ratification, in which he announced formally the policy of the United States to develop the communication through the isthmus for the benefit of the commerce of the world at large.

Mr. Polk declared that the treaty did not "constitute an alliance for any political object, but for a purely commercial purpose, in which all the navigating nations of the world have a common interest. The ultimate object is to secure to all nations the free and equal right of passage over the isthmus. If the United States should first become a party to this guaranty, it cannot be doubted that similar guarantees will be given to New Granada by Great Britain and France."

Though if the proposition should be rejected by the Senate, the President said that "we may deprive the United States of the just influence which its acceptance might secure to them, and confer the glory and benefits of being the first among the nations in concluding such an arrangement upon the government either of Great Britain or France."

But, at the time that this treaty was made, Great Britain claimed dominion in certain parts of Central America over which she exerted authority and of which she was in actual possession. These were the territory extending along the coast of Guatemala, called Belize, or British Honduras, including an island called Ruatan and other Bay Islands, and she asserted a protectorate over a long stretch of Nicaragua inhabited by the Mosquito Indians and called the Mosquito Coast. She had a more direct claim upon and closer personal relation with the people of Central America than we had, her occu-

pation of British Honduras dating back at least to a treaty which she made with Spain in 1786.

In pursuance of our policy, however, of creating a neutral territory at the isthmus, and of preventing the establishment there by any single foreign nation of exclusive control, we proposed, in 1850, that Great Britain should unite her interests with ours in order that not only the canal should be built upon fair and equitable terms, "but that its construction should inure to the benefit of all nations and should offer equal opportunity to the commerce of the world"; and for this purpose we invited Great Britain, and she consented, to enter into a convention with us with the intention of setting forth and fixing the views and intentions of both governments, "with reference to any means of communication by ship-canal which may be constructed between the Atlantic and Pacific Oceans by way of the river San Juan de Nicaragua, . . . to any port or place on the Pacific Ocean."<sup>3</sup> This was the Clayton-Bulwer treaty, which was signed at Washington on the 19th of April, 1850, by Mr. John M. Clayton, then Secretary of State, and Sir Henry Lytton Bulwer, British minister to the United States. . . .

Thus the Clayton-Bulwer treaty became the foundation for the understanding between ourselves and Great Britain and provided for an absolute equality between them in regard not only to the protection which they united to give to an interoceanic communication that should be established, but also formally declared that both governments should approve of any charges or conditions of traffic—that is to say, tolls—that might be imposed, and that no such tolls should be imposed, in fact, which had not the approval and consent of both governments.

The United States government considered that it had entered into an agreement that was both just and equitable toward both parties, as a definition of the rights and duties of each and a basis upon which the Isthmian Canal should be built as a benefit to the commerce of the world.

And, further, we not only held ourselves to be bound by the stipulations of this agreement, but we called upon Great Britain to sustain her part of it by a very strict interpretation of the law, quite beyond what the British Cabinet had expected in entering into the engagement, and a good deal more than it was willing at first to concede; for we contended that by the provisions of the treaty both

<sup>3</sup> The treaty, Mr. Tower goes on to prove, also applied "to any other practicable communications across the isthmus."

nations had promised not "to make use of any protection or alliance which either has or may have with any state or people for the purpose of fortifying or colonizing Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America, *or of assuming or exercising dominion over the same.*" And we called upon the British government, under this provision, not only not to extend its political influence in Central America, but also to give up such claims as it might already have acquired in British Honduras, the Mosquito Coast and the Islands of the Sea. . . .

This defines our position in regard to the affairs of the isthmus. . . . We won our case, and England came to our understanding both as to the Mosquito Coast and the islands, because of the Clayton-Bulwer treaty; but the provision of the treaty was that neither the United States nor Great Britain should exert any influence that either may possess, "for the purpose of acquiring or holding directly or indirectly, for the citizens or subjects of the one any rights or advantages in regard to commerce or navigation through the said canal which shall not be offered on the same terms to the citizens or subjects of the other."

General Cass said (1858): "What the United States wants in Central America, next to the happiness of its people, is the security and neutrality of the interoceanic routes which lead through it. If the principles and policy of the Clayton-Bulwer Treaty are carried into effect, this object is accomplished." It is to be observed that there are two distinct points of agreement which are set forth in this treaty as well as in all of the voluminous correspondence that has taken place in regard to it, which points of the agreement have never been lost sight of as the basis of the negotiations relating to the canal across the isthmus; namely, *the neutrality of the canal* and *the absolute equality between ourselves and Great Britain in connection with it.* We demanded this from the start, and Great Britain has acceded to our demand with that principle in view, which has never been changed.

She was willing to join with us in building the canal or she was willing that we should build it alone. And when, after a good many years of delay, we announced to her that we were in a position to undertake the work, and we made suggestions to her looking to that result, she agreed to make a new treaty with us, to supersede the old one, in order that the intended benefits might be secured and the work should progress.



The new treaty was signed in November, 1901, by Mr. John Hay, Secretary of State, and Lord Pauncefote, the British ambassador, whence it has since become widely known as the "Hay-Pauncefote Treaty."

By this contract the two powers, "being desirous to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans, by whatever route may be considered expedient, and to that end remove any objection which may arise out of the Convention . . . called the Clayton-Bulwer Treaty, to the construction of such canal under the auspices of the Government of the United States, without impairing the 'general principle' of neutralization established in Article VIII of that Convention," agreed that: "The present Treaty shall supersede the aforementioned convention of April 19th, 1850, . . . that the canal may be constructed under the auspices of the Government of the United States," and that, "subject to the provisions of the present Treaty, the said government (the United States) shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal." And, in order to make plain the understanding between ourselves and the British government, with whom we were dealing, we made this specific stipulation (Article 3):—

"The United States adopts, as the basis of the neutralization of such ship canal, the following Rules, substantially as embodied in the Convention of Constantinople (28 October, 1838), for the free navigation of the Suez Canal:

"1. The Canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise."

This is not an obscure subject. On the contrary, the United States entered freely and openly into these treaties, and the situation is one that we have created for ourselves. We negotiated with Great Britain always with the understanding upon our part that she was to be upon the same footing as ourselves in regard to the canal; and she accepted, yielding the advantages that she had acquired, in order to comply with our plans. It is not a question now as to whether we made a good bargain or a bad one, but it is of great importance to the American people that the United States

government shall fulfill its engagements and shall carry out loyally its international obligations.

NOTE.—Hon. Joseph H. Choate was our ambassador to Great Britain at the time that the Hay-Pauncefote treaty was concluded, and he was in constant intercourse with both of those statesmen, as well as with Lord Lansdowne, during that period, concerning the purpose and meaning of every point in the treaty. No other living American has such accurate knowledge upon these points; and to most serious persons his repeated declarations that it never entered the thought of the framers of the treaty that the reference in it to "all nations" meant or could be construed to mean all nations except the United States will be conclusive as to the true interpretation of the phrase. In his address at Washington, December 4, 1913, before the Society for the Judicial Settlement of International Disputes, he said: "Lord Pauncefote and Secretary Hay were two of the noblest, truest and purest statesmen on earth. It never crossed the minds of either of them or of myself that the treaty ever meant anything else than exactly what it says. But Mr. Taft succeeded in reading something else in, and Congress also did, and Congress passed the law and he signed the bill. It has created a situation that has raised the distrust of foreign nations of our willingness to stand by the treaties we make. There are two ways out of it, one of which I hope will be adopted—that is, to repeal the eighth clause of the Panama Canal act. We will dispose of the matter that way and leave it where it was. Another way is to arbitrate the question as quickly and effectively as possible. You cannot expect nations to enter into any arrangement or negotiations with us for the judicial settlement of international disputes unless they are satisfied, as they were always satisfied until a year or two ago, that the United States is ready to stand by its word."

The World Peace Foundation has published in its Pamphlet Series the powerful speech of Hon. Elihu Root in the United States Senate, January 21, 1913, on the obligations of the United States as to Panama Canal tolls, which, it is hoped, will be read by all readers of the present pamphlet.

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# World Peace Foundation

## Pamphlet Series

### THE RECORD OF THE HAGUE

TABLES SHOWING THE CASES DECIDED AND THE  
RATIFICATIONS OF CONVENTIONS, 1899 AND 1907

COMPILED BY

DENYS P. MYERS

(CORRECTED TO NOVEMBER 1, 1913)

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15 Netherlands v. Portugal.

16<sup>1</sup> Spain, France and Great Britain v. Portugal.  
17 France v. Peru.

18<sup>2</sup> United States v. Germany.

Dutch - Portuguese frontiers in the island of Timor.  
Seizure of religious goods in Portugal.  
French claims against Peru.  
Interpretation of treaty rights.

April 3 1913  
July 31 1913  
Feb. 2 1914

LARDY (solo arbitrator).  
ROOT, de Savornin Lohman, Lardy.

June 25 1914

<sup>1</sup> Includes opening session and session at which decision was given.  
other places, July 14-21, 1900.  
by Chapter IV.

<sup>2</sup> President's name in capitals.  
<sup>3</sup> Not member of the court.

<sup>4</sup> Special arbitral tribunal.  
<sup>5</sup> Constituted under the summary procedure provided

# COMPLEMENTARY NOTES.

Case 16.—In 1911 the Portuguese Republic passed a law separating the state and church and abolishing diplomatic relations with the Holy See. In 1912 the state voted to take over all church properties, many of which were owned or controlled by Roman Catholic religious orders. Foreign governments objected to the treatment of properties owned by the religious of their nationalities established in Portugal. As a consequence, the arbitral tribunal in, by the Portuguese Republic after the proclamation of the Republic.

Case 17.—France and Peru agreed by protocol that fr. 25,000,000 would be deducted from a loan to be placed by Peru on the credit of the Paris-Bourse to pay certain French creditors. On October 8, 1912, the French minister to Peru complained that the said creditors were not included in a list of creditors submitted to the Congress. Peru replied that the protocol recognized the French creditors conditionally only and that, as its conditions were not realized, Peru was not under obligation. A compromise was signed at Lima on February 2, 1914.

Case 18.—On January 28, 1915, the German armed frigate *Albatross* sank on the high seas the American steel sailing vessel *William P. Frye*, Seattle to Queenstown, Falmouth, with a cargo of wheat and by the *Albatross* was carried to the United States. The United States presented to Germany a claim for \$228,050.64 for damages suffered. The German Government admitted liability under the provisions of Art. 123 of the German Commercial Code, but insisted on prize court proceedings. The United States held further that indemnity should be paid by Germany for the seizure of the *Albatross* and for the seizure of the *William P. Frye*, but insisted that the payment was "a duty or policy founded on the existing treaty stipulations." Payment of the indemnity is to be made without prejudice to the question of treaty interpretation.

## MATTERS REFERRED TO COMMISSIONS OF INQUIRY

(Under Arts. 9-14 (1890) and 9-38 (1907) of the Convention for the Pacific Settlement of International Disputes).

Parties.	Subject.	<sup>1</sup> Date of convention.	Sessions began.	Report delivered.	Members of Commission.	Settlement.
1 Great Britain and Russia.	North Sea incident, Oct. 21-22, 1904.	Nov. (12) 25, 1904	Dec. 23 1904	Feb. 20 1905	Admirals Spaun, Dubassov, Beaumont, Fournier, Davis.	Russia responsible; paid £500,000 for damages done.
2 France and Italy.	a. Seizure of the <i>Teignmouth</i> , Jan. 26, 1912. b. Cannon-shots fired at the Tuscan mailboat <i>Remond</i> and <i>Genova</i> , Jan. 26, 1912.	April 25 1912 April 26 1912	June 30 1912 —	July 23 1912 July 23 1912	Capt. James Segrave, Capt. Sombon, Capt. Zerb, Lieut. Violette, Count Gravina.	Referred to Hague Court on questions of law and award of damages (14, above).

<sup>1</sup> The convention of reference. The North Sea incident convention was officially called a declaration.

# RATIFICATION OF 1899 CONVENTIONS.

(Based on *Foreign Relations of the United States*, 1905, 691.)

## LIST OF THE NAMES OF THE POWERS IN REGARD TO WHICH THE CONVENTIONS AND DECLARATIONS SIGNED ON JULY 29, 1899, WERE OBLIGATORY.

### A.—Powers which have Ratified.

(The dates mentioned indicate the day on which the several notes of ratification were deposited.)

	I.	II.	III.	IV. 1°.	IV. 2°.	IV. 3°.
	Convention concerning the pacific settlement of international disputes.	Convention concerning the laws and customs of war on land.	Convention concerning the adaptation to maritime warfare of the principles of the Geneva Convention of August 22, 1864. (Article 10 <sup>th</sup> excluded from the ratification.)	Declaration prohibiting the throwing of projectiles from balloons or other aërostatic means.	Declaration prohibiting the use of projectiles having as their sole object the diffusion of asphyxiating or deleterious gases.	Declaration prohibiting the use of bullets which expand or flatten easily in the human body.
1	Germany . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
2	United States <sup>1</sup> . . . .	April 9, 1902	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
3	Austria-Hungary . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
4	Belgium . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
5	Bulgaria . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
6	China . . . . .	June 12, 1907 <sup>2</sup>	Nov. 21, 1904	Nov. 21, 1904	Nov. 21, 1904	Nov. 21, 1904
7	Denmark . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
8	Spain . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
9	France . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
10	Great Britain . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
11	Greece . . . . .	April 4, 1901	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
12	Italy . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
13	Japan . . . . .	Oct. 6, 1900	Oct. 6, 1900	Oct. 6, 1900	Oct. 6, 1900	Oct. 6, 1900
14	Mexico . . . . .	July 12, 1901	July 12, 1901	July 12, 1901	July 12, 1901	July 12, 1901
15	Luxemburg . . . . .	April 17, 1901	April 17, 1901	April 17, 1901	April 17, 1901	April 17, 1901
16	Montenegro . . . . .	Oct. 16, 1900	Oct. 16, 1900	Oct. 16, 1900	Oct. 16, 1900	Oct. 16, 1900
17	Netherlands . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
18	Persia . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
19	Portugal . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
20	Rumania <sup>3</sup> . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900

21	Russia . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
22	Servia <sup>1</sup> . . . . .	May 11, 1901	May 11, 1901	May 11, 1901	May 11, 1901
23	Siam . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
24	Sweden and Norway . . . . .	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900	Sept. 4, 1900
25	Switzerland . . . . .	Dec. 20, 1900	Dec. 20, 1900	Dec. 20, 1900	Dec. 20, 1900
26	Turkey . . . . .	June 12, 1907	June 12, 1907	June 12, 1907	June 12, 1907

## B.—Adhering Powers.

(British Treaty Series No. 39, 1907. Text of protocol 100 British and Foreign State Papers, 276.)

Argentina . . . . .	June 15, 1907	June 17, 1907	June 17, 1907
Bolivia . . . . .	June 15, 1907	Feb. 7, 1907	Feb. 7, 1907
Brazil . . . . .	June 15, 1907	Feb. 25, 1907	Feb. 25, 1907
Chile . . . . .	June 15, 1907	June 10, 1907	June 10, 1907
Colombia . . . . .	June 15, 1907	Jan. 30, 1907	Jan. 30, 1907
Cuba . . . . .	June 15, 1907	April 17, 1907	June 20, 1907
Dominican Republic . . . . .	June 15, 1907	April 13, 1907	June 20, 1907
Ecuador . . . . .	July 3, 1907	July 31, 1907	Aug. 5, 1907
Guatemala . . . . .	June 15, 1907	May 2, 1906	April 6, 1903
Haiti . . . . .	June 15, 1907	May 24, 1907	June 20, 1907
Honduras . . . . .	—	Aug. 21, 1906	Aug. 21, 1906
Korea . . . . .	—	Mar. 17, 1903	Feb. 7, 1903
Nicaragua <sup>2</sup> . . . . .	June 15, 1907	May 17, 1907	May 17, 1907
Panama . . . . .	June 15, 1907	July 20, 1907	July 22, 1907
Paraguay . . . . .	June 15, 1907	April 12, 1907	June 20, 1907
Peru . . . . .	June 15, 1907	Nov. 24, 1903	Nov. 24, 1903
Salvador . . . . .	June 20, 1907	June 20, 1902	June 20, 1902
Uruguay . . . . .	June 17, 1907	June 21, 1906	June 21, 1906
Venezuela . . . . .	June 15, 1907	Mar. 1, 1907	Mar. 1, 1907

### NOTES ON ADHESIONS.

The ratification on July 5, 1907, of Convention II by Sweden and Norway, as reported above, was by each individually. In the interval since 1899 these states had separated and become two states.

The ratifying and adhering states reported for the acts of the 1899 Conference are the same as the participants in the Second Conference, with the exception of Korea, which, though not a member of the First Conference, adhered to part of its acts. By 1907 its treaty relations with Japan had divested it of the clear sovereign character necessary for participation in a diplomatic conference.

The following is the official minute of the adhesions reported herewith as appearing in the proceedings of the second plenary session of the Second Hague Conference, June 19, 1907 (*Deuxième Conférence de la Paix. La Haye 1907. Actes et documents. I, 64*):

The President (Mr. Nelitov of Russia) informed the Conference that all the states which had not participated in the Conference of 1899 and had been invited to the present one had signed their adhesion to the Acts of the First Conference.

<sup>1</sup> Under the reservation made at the general meeting of the conference, July 25, 1890.

<sup>2</sup> Adhesions without prior signature.

<sup>3</sup> Under reservation in respect to Articles 10, 17 and 19 of the proposal laid before the Committee of Inquiry, entered in the minutes of the third committee of July 20, 1899.

<sup>4</sup> Under the reservation mentioned in the minutes of the third committee of July 20, 1899.

<sup>5</sup> Nicaragua ratified Declarations IV, 2 and 3, on Oct. 11, 1907. No. 1 expired in 1904.

# RATIFICATION OF 1907 CONVENTIONS.

ABBREVIATIONS.		I.	II.	III.	IV.	V.	VI.	VII.	VIII.	IX.	X.	XI.	XII.	XIII.	XIV.	XV.
		Pacific settlement of international disputes.	Limitation of the employment of force for the recovery of contract debts.	Relative to opening of hostilities.	Laws and customs of war on land.	Rights and duties of neutral powers and persons in case of war on land.	Status of enemy merchant ships at the outbreak of hostilities.	Conversion of merchant ships into warships.	Laying automatic submarine contact mines.	Bombardment by naval forces in time of war.	Adaptation to naval war of the principles of the Geneva Convention.	Certain restrictions with regard to the exercise of the right of capture in naval war.	Creation of an international prize court.	Rights and duties of neutral powers in naval war.	Declaration prohibiting the discharge of projectiles and explosives from balloons.	Final act. (Ratification not required).
1	Germany (Nov. 27, 1906) . . . . .	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.
2	United States (Nov. 27, 1906) . . . . .	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.
3	Argentina . . . . .	S	S R	S	S	S R	S	S	S	S	S	S	S	S	S	S
4	Austria-Hungary (Nov. 27, 1906) . . . . .	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.
5	Belgium (Aug. 8, 1910) . . . . .	Rat.	—	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.
6	Bolivia (Nov. 27, 1906) . . . . .	Rat.	S R	Rat.	Rat.	Rat.	S	S	S	Rat.	Rat.	S	S	S	S	S
7	Brazil (Jan. 5, 1914)* . . . . .	Rat.	—	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.
8	Bulgaria . . . . .	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
9	Chile . . . . .	S R	S	S	S	S	S	S	S	S R	S	S	S R	S	S	S
10	China (Nov. 27, 1906) . . . . .	Rat.	Adh.	Adh.	S	Adh.	—	—	—	Adh.	Rat.	—	—	Adh.	Rat.	Rat.
11	Colombia . . . . .	S	S R	S	S	S	S	S	S	S	S	S	S	S	S	S
12	Cuba (Feb. 22, 1912) . . . . .	Rat.	S	S	Rat.	Rat.	Rat.	S	S	Rat.	Rat.	Rat.	Rat.	—	S	S
13	Denmark (Nov. 27, 1906) . . . . .	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	S	Rat.	S	S
14	Dominican Republic . . . . .	S	S R	S	S	S	S	—	S R	S	S	S	—	S R	S	S
15	Ecuador . . . . .	S	S R	S	S	S	S	S	—	S	S	S	S R	S	S	S
16	Spain (March 18, 1913) . . . . .	Rat.	Rat.	Rat.	—	Rat.	Rat.	Rat.	—	Adh.	Rat.	Rat.	S	—	—	—
17	France (Oct. 7, 1910) . . . . .	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	S	Rat.	—	—
18	Great Britain (Nov. 27, 1906) . . . . .	S	Rat.	Rat.	Rat.	S R	Rat.	Rat.	Rat.	Rat.	Rat.	Rat.	S	S R	S R	S R
19	Greece . . . . .	S R	S R	S	S	S	S	S	S	S	S	S	—	S	S	S





# ANALYSIS OF 1907 RATIFICATIONS.

## By Conventions.

	*Signatures.	*Ratifications
I.—Pacific settlement of international disputes . . . . .	43 (5R)	27 (1 adh.)† (5R)
II.—Limitation of the employment of force for the recovery of contract debts . . . . .	34 (10R)	21 (4 adh.) (4R)
III.—Relative to opening of hostilities . . . . .	42	28 (3 adh.)
IV.—Laws and customs of war on land	41 (6R)	27 (2 adh.) (4R)
V.—Rights and duties of neutral powers and persons in case of war on land . . . . .	42 (2R)	28 (3 adh.)
VI.—Status of enemy merchant ships at the outbreak of hostilities . . . . .	41 (2R)	26 (2 adh.) (2R)
VII.—Conversion of merchant ships into warships . . . . .	39 (1R)	25 (2 adh.)
VIII.—Laying automatic submarine contact mines . . . . .	37 (6R)	22 (2 adh.) (4R)
IX.—Bombardment by naval forces in time of war . . . . .	41 (5R)	29 (4 adh.) (4R)
X.—Adaptation to naval war of the principles of the Geneva Convention	43 (4R)	27 (1 adh.) (1R)
XI.—Certain restrictions with regard to the exercise of the right of capture in naval war . . . . .	40	25 (2 adh.)
XII.—Creation of an international prize court . . . . .	32 (10R)	7 (2R)
XIII.—Rights and duties of neutral powers in naval war	39 (7R)	25 (4 adh.) (6R)
XIV.—Declaration prohibiting the discharge of projectiles and explosives from balloons . . . . .	27	17 (2 adh.)
XV.—Final act . . . . .	43 (1R)	Not required
Totals . . . . .	584 (62R)	
Deducting signatures to Final Act . . . . .	43 (1R)	
	541 (61R)	334 (32 adh.) (32R)

## By States.

	*Signatures.	*Ratifications.
Germany . . . . .	14 (5R)	12 (5R)
United States . . . . .	12 (1R)	12 (1 adh.)† (3R)
Argentina . . . . .	15 (2R)	—
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# World Peace Foundation

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### THE COMMISSION OF INQUIRY: THE WILSON-BRYAN PEACE PLAN

ITS ORIGIN AND DEVELOPMENT

BY

DENYS P. MYERS

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# THE COMMISSION OF INQUIRY

BY DENYS P. MYERS

The pacific methods of settling international disputes are designed to deal with legal differences and to as great an extent as possible with political differences. Practically no political difference, involving conflict between national policies, is without its distinctly legal side. The non-amicable methods of resolving international disputes—breaking diplomatic relations, retorsion, reprisal, embargo, non-intercourse, pacific blockade and intervention—are now practically obsolete and employed only by States of the first rank against those of lesser size or influence. Amicable methods include negotiation, good offices and mediation, commissions of inquiry and arbitration.\* Of these methods, arbitration has held public attention almost to the exclusion of consideration of the other methods, which are of a less definite character. Of the other methods the commission of inquiry is capable of very great development. It is the medium chosen by President Wilson and Secretary of State Bryan for the advance toward assured peace which they desire to make, and the remarkable response to the Administration's project by the States of the entire world renders the subject a matter of public interest second to none. It may safely be said that no diplomatic proposition has ever made so rapid headway, for it is but eight months since the plan was broached, and it has in that short time been accepted by 31 out of 39 States, and seven treaties have been signed.

\*Negotiation, the customary method of adjusting disputes, is conducted by diplomatic officers, and consists of verbal or written exchanges with the object of agreement. Negotiation is ordinarily conducted between two governments, and carried on at one or both capitals, as convenient. The technique of negotiation is elaborate.

Good offices and mediation are alike in character, but differ in kind, the first usually including a proffer of the latter. Both methods originate with a third and disinterested power. Secretary of State Hay described good offices as "the unofficial advocacy of interests which the agent [the third power] may properly represent, but which it may not be convenient to present and discuss on a full diplomatic footing"; and "it is allied to arbitral intermediation as an impartial adviser of both parties." Mediation is a step further, and gives the third power the right to become a quasi-negotiator, but solely in the interest of a settlement satisfactory to the two principals.

The commission of inquiry is extra-diplomatic, and its function is to determine facts about which the disputants differ or are in doubt.

Arbitration is now a legal method, and "has for its object the settlement of disputes between states by judges of their own choice and on the basis of respect for law." An arbitral court at present has a competence for both law and equity, which does not exist as such in international legal relations. Compromise in the interest of even-handed justice may therefore be resorted to, but will decrease as international law and decisions cover more detailed matters.

In international affairs the commission of inquiry plays the part assigned in French courts to the *juge d'instruction* and in American judicial procedure to a master. This officer of a court is designated by the judge to hear testimony on matters of great complication and to report the essential facts to the court, who renders the decision of law. The commission of inquiry is designed likewise to digest evidence and report facts. It reports not to a court, but to the disputants, in whose discretion it lies whether the matter shall be settled by negotiation on the basis of facts determined by the commission or by arbitral proceedings.

The commission of inquiry is a necessary development of international relations. Differences between nations, whether legal or political, are invariably of a very complicated character. The report of the North Atlantic Fisheries arbitration, for instance, required 12 volumes for its publication, while the correspondence regarding the matter itself and its various phases ran to thousands of pages through the years of its discussion. Under such conditions it is inevitable that international disputes may become so overlaid with uncertainties that both sides, with the best will in the world, find genuine difficulty in recognizing precisely what is the subject-matter of the dispute. The commission of inquiry is designed to refer the technicalities involved to competent persons who by impartial study of the evidence may report back to the principals exactly what are the facts of the case. The commission must always be organized for the specific case, its jurisdiction specially conferred, and its function can lead to little disagreement in principle because no modern State is in a position to refuse to have the facts determined in any dispute to which it may be a party.

Chevalier Descamps of Belgium, reporter on this subject to the plenary session of the First Hague Conference, defined the value of the Commission of Inquiry in these words:—

The question of the institution of International Commissions of Inquiry has been considered by the committee as being of great importance along the line aimed at by the Conference. . . . International Commissions of Inquiry, the eminent delegate of Russia (de Martens) has observed, are not an innovation. They have already given proof of the services they can render when a dispute breaks out between two States in good faith; for example, if a frontier incident occurs between them, opinion is inflamed still more as the incident is unexpected and as less information concerning it is given, because public opinion is ignorant of the origin and real causes of the dispute. It is at the mercy of the impressions of the moment and there is great likelihood that in these conditions the public mind may become irritated and envenomed. This is why we have desired to provide

for the contingency of a commission with the first and primary object of finding out and making known the truth as to the causes of the incident and the actual importance (*materialité*) of the facts. Such is the principal rôle of the Commission: it is appointed to make a report, and not to render a decision which could bind the Powers. But while it is at work preparing its report, time is gained, and this is the second object which we had in view. The public mind is calmed and the dispute ceases to exist in an acute stage.

As a practical method of adjusting international differences, the commission of inquiry seems to have been due to the late Frederick de Martens, the great jurisconsult of the Russian ministry of foreign affairs, whose sound work for the development of international law must long remain one of the foundations on which the future will build. The idea, however, was not entirely new, for what had been called mixed commissions were familiar and frequently used. As a general thing, these mixed commissions had drawn frontiers or executed a particular duty specified in a treaty. Darby lists 118 commissions in the 19th century, and they are still employed. The earlier records of pacific settlement contain many instances of commissions performing essentially the duties of inquiry, but invariably invested also with the power of rendering a decision,—a power which makes them therefore assimilated to arbitration. In fact, from the Jay treaty in 1794 almost down to 1899, it was customary to call an arbitral court a commission. The distinction between inquiry with power to decide and the function of inquiry alone seems to have taken shape most clearly in the mind of M. de Martens, though recognized by other publicists as an advantageous difference.

Professor de Martens, as the principal jurisconsult of the ministry of foreign affairs, was charged in the course of his regular duties with preparing for the work of the First Hague Conference, which had been proposed by the Russian emperor. The program emanated from the Russian Foreign Office, and its technical experts were given the primary responsibility of preparing preliminary and historical material relating to the program and to secure practical results from it. We may imagine the far-sighted publicist grappling with point 8 of the program: "Acceptance, in principle, of the use of good offices, mediation and voluntary arbitration, in cases where they are available, with the purpose of preventing armed conflicts between nations." In 1899 the proposition was considered both visionary and revolutionary by the "practical" statesmen of Europe, who chose to be suspicious of everybody else, whatever occurred. European statesmen of the day did not accept the Russian proposal of the

Conference in good faith, and assigned chauvinist reasons to account for its suggestion that are ludicrous in the light of history and recorded accomplishment.

De Martens was, of course, well aware of this general feeling in Europe and of its particular direction against Russia. He must have realized the difficulties of securing practical results under the circumstances. The documents drafted by St. Petersburg for presentation to the Conference, documents which in almost every branch of the work formed the starting-point for the labors of the Conference, are all characterized by the strictest adherence to undisputed and thoroughly practical considerations. Conservatism ruled, and the fact that the Conference advanced beyond the Russian propositions is due to the good fortune that the world was really ready for greater progress than had been obvious before the actual meeting.

## THE FIRST HAGUE CONFERENCE\*

Among the numerous documents presented by Russia through Professor de Martens to form the bases of discussion was one entitled "Elements for the Elaboration of a Project of Convention to be concluded between the Powers participating in the Hague Conference." It was presented at the second session of the Third Commission on May 26, 1899, and consisted of 18 articles devoted to good offices and mediation, international arbitration and international commissions of inquiry. Arts. 14 to 18, on the last-named subject, read:—

ART. 14. In cases where there should be produced between the signatory States differences of opinion with respect to local circumstances giving rise to litigation of an international character, which cannot be resolved by ordinary diplomatic methods but in which neither the honor nor the vital interests of these States are concerned, the interested Governments agree to institute an International Commission of Inquiry, in order to determine the circumstances which gave rise to the disagreement and to clear up all questions of fact on the spot by an impartial and conscientious examination.

ART. 15. These International Commissions are constituted as follows: Each interested Government names two members and the four members together choose the fifth member, who is at the same time president of the Commission. If there is a division of votes on the election of a president, the two interested Governments address themselves in common either to a third Government or to a third person who shall nominate the President of the Commission.

ART. 16. The Governments between which a serious disagreement occurs, or a dispute fulfilling the conditions indicated above, engage to furnish to the

\* See generally *Conférence Internationale de la Paix, La Haye, 18 mai—2 juillet, 1899*: I, 80-83; IV, 31-44, 61-69; IV, B, 28-31, 55, 64, 70-73; Annexes, 2-3, 47.



Commission of Inquiry all necessary means and facilities for a profound and conscientious study of the facts which have given rise thereto.

ART. 17. The International Commission of Inquiry, after having determined the circumstances in which the disagreement or dispute was produced, presents to the interested Governments its report, signed by all the members of the Commission.

ART. 18. The report of the Commission of Inquiry has in no way the character of an arbitral award; it leaves to the Governments in dispute entire freedom either to conclude an arrangement amicably upon the basis of the above-mentioned report, or to have recourse to arbitration by concluding an agreement *ad hoc*, or finally to have recourse to the *de facto* methods admitted in the mutual relations between nations.

Professor de Martens, in drawing up these articles, had done nothing more than applied what had been a frequent practice between States for a hundred years. He was, of course, entirely familiar with diplomatic history, and had doubtless consulted the rules of procedure of various mixed commissions while elaborating the articles. The conservatism that characterized the project is evident in the last alternative of Art. 18, which, in the Comité d'examen<sup>3</sup> on June 21, Professor Asser of Holland was for cutting out. This was opposed by Dr. Zorn of Germany, who said that, "from the legal point of view, it cannot be forgotten that these articles (15-18) have another character, that of an advertisement. That being said, it is not necessary, as M. Asser says, to enter too much into details." Baron d'Estournelles of France proposed the suppression of the last phrase of the sentence of Art. 18. "It is useless," said he, "to foresee and explicitly reserve the right of war in the acts of the Peace Conference. The Comité sharing this point of view, Art. 18 was consequently ended with the words mediation and arbitration," making the phrase read "to have recourse to mediation and arbitration."

Other lesser but significant changes were made in the revision. In Art. 14, at the same session of the Comité d'examen, the restriction of the employment of the commission to local circumstances was marked for removal by Professor Asser, though he did not then make his point.

From the Comité d'examen the text of the Convention was sent up to the Third Commission for passage before coming up at a plenary session for final enactment. In its sixth session on July 19 occurred one of the regrettable incidents of the Conference. The section relating to the Commission of Inquiry had been held over for discussion until Rumania, Servia and Greece could receive instructions

<sup>3</sup> For a careful account of the proceedings see William I. Hull, *The Two Hague Conferences*, 277-288. Compare James Brown Scott, *The Hague Peace Conferences*, I, 265-273.

from their Governments. On July 19 their thunder-cloud broke in a torrent of words. The Balkan States in general felt that the Commission of Inquiry proposition as a whole would put them into an adverse situation regarding their historic opponent, Turkey. The argument was lengthy, precise and of a character not readily appreciated by disinterested observers.

Chevalier Descamps, of Belgium, reporter, defended the section against the Balkan delegates. "The delegates are all here animated by a double sentiment," he said, "sincere devotion to the cause of peace and the *rapprochement* of peoples and an unshakable attachment to their own countries." He believed, on broad grounds, that the two sentiments could be harmonized. As reporter of the project, he answered M. Beldiman's speech in detail.

M. de Martens in one of the remarkable speeches of the Conference enlarged on the reporter's statement as to the competence of the Conference to deal with the subject. "It is a question which is absolutely found in the very skeleton of the program itself. Of this there can be no doubt," he asserted. "I am in a position to affirm in the most positive manner possible that the articles concerning the commissions of inquiry do not contemplate any political purpose and touch in no way the policy of any State, neither great nor small, in the Orient or the Occident." He continued by a description of what the commission was intended to accomplish, and closed with an eloquent appeal for maintaining a broad vision in dealing with the work of the Conference. "Gentlemen," he said, "if in private life one is happy when he sees everything in rose tints, in international life one is great if he sees everything in the large. One must not remain in the lowlands if he would enlarge his horizon."

M. Beldiman felt himself touched very close to the raw by the Russian's appeal, and made some comments which elicited from Léon Bourgeois of France, president of the commission, the assurance that "M. de Martens had desired to address an appeal to all members of the Assembly to invite them to project themselves beyond their own frontiers and to consider only the frontiers of humanity." Rumania was thereupon mollified, and offered the explanation that, owing to lack of representation on the Comité d'examen, she had not had a previous opportunity of bringing forward her own point of view.

President Bourgeois of the commission then suggested that the Balkan dissidents participate in the proceedings of the Comité

d'examen, which must meet again to consider the amendments. The offer was accepted, and the session rose.

The same afternoon the Comité d'examen reconvened to consider the amendments. Here, on the amendment to Art. 13 (now Art. 14), M. Stanciov of Bulgaria brought up the question of the report leaving the Governments concerned absolutely free. The result was the insertion of the clause in the article that the report should be limited to the statement of facts.

M. Bourgeois then reverted to Art. 9 to reassert its purely optional character. Rumania, Servia and Greece promised to report this understanding to their Governments by telegraph. Further discussion of the most cordial kind followed, and the Balkan delegates at the close readily agreed to report home as to the spirit of conciliation and absolute equity which characterized the proceedings.

Everybody was ready for the second reading in commission at its eighth session, July 22. M. Delyanni for Greece immediately "adhered" for his Government, and M. Miyatovich for Servia was authorized to accept without reserve the text of the whole section. M. Beldiman for Rumania submitted a letter in which all the sections except Art. 9 were accepted. On this article Rumania submitted a new text, which was passed unanimously, with two abstentions.

The entire text of the Convention was read and adopted without discussion at the seventh plenary session of the Conference on July 25, and thus was ready for signature. In that form it read:—

ARTICLE 9.<sup>4</sup> In differences of an international nature involving neither honor nor vital interests, and arising from a difference of opinion on points of fact, the Signatory Powers recommend that the parties, who have not been able to come to an agreement by means of diplomacy, should, as far as circumstances allow, institute an International Commission of Inquiry, to facilitate a solution of these differences by elucidating the facts by means of an impartial and conscientious investigation.

ARTICLE 10. The International Commissions of Inquiry are constituted by special agreement between the parties in conflict.

The Convention for an inquiry defines the facts to be examined and the extent of the Commissioners' powers.

It settles the procedure.

On the inquiry both sides must be heard.

The form and the periods to be observed, if not stated in the inquiry convention, are decided by the Commission itself.

ARTICLE 11. The International Commissions of Inquiry are formed, unless otherwise stipulated, in the manner fixed by article 32 of the present Convention.

<sup>4</sup> *Treaties, Conventions, etc., 1776-1909, 2022.*

ARTICLE 12. The Powers in dispute engage to supply the International Commission of Inquiry, as fully as they may think possible, with all means and facilities necessary to enable it to be completely acquainted with and to accurately understand the facts in question.

ARTICLE 13. The International Commission of Inquiry communicates its report to the conflicting Powers, signed by all the members of the Commission.

ARTICLE 14. The report of the International Commission of Inquiry is limited to a statement of facts, and has in no way the character of an Arbitral Award. It leaves the conflicting Powers entire freedom as to the effect to be given to this statement.<sup>5</sup>

## THE SECOND HAGUE CONFERENCE

The Commission of Inquiry was employed but once in the interval between 1899 and 1907, when the Second Hague Conference convened. But that single use of its machinery fully justified all the work that had taken place in the First Conference, and the lengthy and conciliatory discussions which had secured general confidence in the plan.

In 1904 Japan and Russia were at war in the Far East. On October 20, 1904, the Baltic fleet, Admiral Rozhdestvensky, left Cape Skagen on its trip to the Sea of Japan to meet the enemy. On October 23 steam fishing trawlers put into Hull, England, bearing the bodies of two men killed, six wounded fishermen, and bringing the report that the trawler *Crane* was sunk and that five other vessels had suffered serious damage. All casualties were due to firing by the Russian fleet, the earliest news from which was to the effect that it had been attacked by Japanese torpedo boats mingling with the Hull trawlers on the Dogger Bank. England pooh-poohed the story, and the national ire rose. On October 23, at Hull, inquest was held on the bodies of the dead fishermen, and the jury's expression of their sense of the gravity of the situation accurately reflected British public opinion. On November 2 the Board of Trade initiated an inquiry which lasted from November 16 to 20, and adjourned

<sup>5</sup>Ratifications of the Convention containing this section were as follows: Germany, United States, Austria-Hungary, Belgium, Bulgaria, Denmark, Spain, France, Great Britain, Italy, Netherlands, Persia, Portugal, Rumania, Russia, Siam, Sweden and Norway, September 4, 1900; China, November 21, 1904; Greece, April 4, 1901; Japan, October 6, 1900; Luxemburg, July 12, 1901; Mexico, April 17, 1901; Montenegro, October 16, 1900; Servia, May 11, 1901; Switzerland, December 29, 1900; Turkey, June 12, 1907. Adhesions were deposited by non-participants as follows: Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Dominican Republic, Guatemala, Haiti, Nicaragua, Panama, Paraguay, Peru, Venezuela, June 15, 1907; Ecuador, July 3, 1907; Salvador, June 20, 1907; Uruguay, June 17, 1907.

The Second International Conference of American States, at Mexico City on January 29, 1902, signed a Treaty of Compulsory Arbitration modelled after the Hague Convention for the Pacific Settlement of International Disputes, and Arts. 13-19 of which practically repeat the Hague provision of 1899 (Senate Document No. 330, 57th Congress, 1st Session, 44-45). At that time the American States in general were not participants in the Hague Conferences.

*sine die* after taking depositions. Between the time when the Board of Trade inquiry was initiated and its actual work the Hague Convention had doubtless saved a war. At the outset the Russian fleet's act was described as an "unwarrantable action," "an unspeakable and unparalleled and cruel outrage," etc. Yet not a week had passed since the fateful Sunday when Britain learned the news until Premier Balfour announced in Parliament on October 28 that the whole matter was to be referred to an International Commission of Inquiry. As early as November 7 the terms of the convention<sup>6</sup> submitting the question were correctly known to the world, and within another week British passions had subsided. On November 25, 1904, the convention was signed, its Article 2 reading,—

The Commission shall inquire into and report on all the circumstances relative to the North Sea incident, and particularly as to where the responsibility lies and the degree of blame attaching to the subjects of the two high contracting parties, or to the subjects of other countries in the event of their responsibility being established by the inquiry.

It can be seen at a glance that these terms of reference gave the commission jurisdiction far beyond the rendering of a report on the facts, which alone is stipulated by the Hague Convention. Yet fixing responsibility is not essentially a juridic attribute. The convention of reference in other respects followed the provisions of The Hague, and named Paris as the place for sitting. Admiral Dubassov was the Russian member, and Vice-Admiral Sir Lewis Beaumont the British. By the convention the Governments of France and the United States were to name two commissioners, the persons selected being Rear-Admiral Fournier and Rear-Admiral Charles Henry Davis. These four chose the fifth and president, Admiral von Spaun, of Austria.

The commission met on December 22, and on February 26, 1905, its report was published. The majority of the commissioners, the Russian dissenting, found that, "being of opinion that there was no torpedo boat either among the trawlers nor on the spot, the fire opened by Admiral Rozhdestvensky was not justifiable"; that "the responsibility for this act and the results of the cannonade sustained by the fishing fleet rests with Admiral Rozhdestvensky." On March 9 the Russian ambassador handed to Lord Lansdowne, secretary of state for foreign affairs, the sum of £65,000 as the amount of

<sup>6</sup> The document referring a matter to commission is called a convention, thus distinguishing it from the *compromis* by which a case is referred to arbitration.

indemnity due to Hull fishermen. On March 24 the Board of Trade published its report on the depositions taken from November 16 to 20, fixing the amount of damages at £60,000, so that the Russian payment more than covered the damages.

This practical test of the International Commission of Inquiry indicated its general soundness, but pointed also to many matters of procedure which might be conventionally developed. It was with this experience and this data before it that the Second Hague Conference came to the consideration of revising the five articles of 1899.

When the First Commission of the Conference<sup>7</sup> met on June 22, 1907, it divided into two sub-commissions, the first of which was to revise the Convention for the Pacific Settlement of International Disputes, including the commission of inquiry provisions. The sub-commission met first on June 25, organized with Signor Fusinato of Italy as president, and received several projects, including the documentary material resulting from the Dogger Bank affair. In the fourth session of the sub-commission, July 9, the commission of inquiry articles came up for preliminary reading.

Henri Fromageot of France opened the discussion. "On most of the questions involving organization of the commissions of inquiry, their functioning and their procedure, the present Convention is silent," he said. The object was to make access to them easier and their operation more sure. Experience showed that a risk was run of notably increasing the difficulties of drafting a convention of reference by adding the necessity of determining rules of procedure to be followed. "Among the questions susceptible of being foreseen by the Conference, it seems these may be mentioned: the rôle of each of the Parties before the Commission of Inquiry and their methods of defending their rights and interests there; handling of evidence, especially evidence by witnesses, with the guaranties of veracity it requires; publicity of the inquiry which, imprudently admitted, risks preventing search for the truth and of overexciting the public instead of appeasing it; conduct of the deliberations; liquidation of the costs. . . . The improvements which we propose are inspired by the thought of permitting International Commissions of Inquiry, in every respect, to be an easily accessible means of assuring peace between nations." M. de Martens for Russia made a notable speech

<sup>7</sup> See generally *Deuxième Conférence de la Paix, La Haye, 1907*: I, 335, 402, 564, 606; II, 35-37, 19, 226, 379, 403, 625, 862-869.

dealing philosophically with the legal character of the commission. Count Tornielli for Italy, M. de Beaufort for the Netherlands and Sir Edward Fry for Great Britain offered amendments. Haiti, Germany, Rumania, Turkey, Greece, Austria-Hungary, Servia and Brazil made statements favoring the retention of optional resort to the commission. The Comité d'examen was then appointed to attack the problem of revision in detail.

In the third session of the First Commission, October 4, 1907, the articles as they came from the Comité d'examen were read. M. Beldiman of Rumania recalled the revision obtained at the First Conference by Rumania, Greece and Servia, when "they pleaded the cause of defective administrations," and observed that the principle of optional resort to the commission was accepted at the present Conference by all the projects brought before it.

M. de Martens of Russia complained of the optional provision of the reference article (9). "The Powers are sovereign," he said, "and their right to have recourse to Commissions of Inquiry is subject to no limitation. However, Art. 9 is edited in a way to make it seem that the Governments interdict for themselves recourse to the International Commissions in the case where honor and essential interests are affected. Is this phrasing really happy? Does it reflect on the state of things after the inquiry on the Hull incident where the essential interests, if not the honor, of two great powers were affected? . . . The Conference seems to wish to ignore the most remarkable historical lesson of this celebrated case. After the Hull inquiry, it did not wish to declare useful and desirable recourse to the Commissions of Inquiry *in every occurrence*." The accomplished Russian did not, however, feel justified in delaying the work of the Conference by introducing an amendment, and Art. 9 was passed by the commission without change. For the rest of the section the reading brought out nothing new.

At the ninth plenary session of the Conference, October 16, the new Convention was unanimously voted to signature, the section relating to International Commissions of Inquiry, previously five articles, now consisting of 27 articles:—

### PART III.—INTERNATIONAL COMMISSIONS OF INQUIRY.<sup>8</sup>

ARTICLE 9.—In disputes of an international nature involving neither honor nor vital interests, and arising from a difference of opinion on points of fact, the

<sup>8</sup> The text as proclaimed by the president on February 28, 1910. It should be understood that the original French text controls, the official American text being merely a translation.

Contracting Powers deem it expedient and desirable that the parties who have not been able to come to an agreement by means of diplomacy, should, as far as circumstances allow, institute an International Commission of Inquiry, to facilitate a solution of these disputes by elucidating the facts by means of an impartial and conscientious investigation.

ARTICLE 10.—International Commissions of Inquiry are constituted by special agreement between the parties in dispute.

The Inquiry Convention defines the facts to be examined; it determines the mode and time in which the Commission is to be formed and the extent of the powers of the Commissioners.

It also determines, if there is need, where the Commission is to sit, and whether it may remove to another place, the language the Commission shall use and the languages the use of which shall be authorized before it, as well as the date on which each party must deposit its statement of facts, and, generally speaking, all the conditions upon which the parties have agreed.

If the parties consider it necessary to appoint Assessors, the Convention of Inquiry shall determine the mode of their selection and the extent of their powers.

ARTICLE 11.—If the Inquiry Convention has not determined where the Commission is to sit, it will sit at The Hague.

The place of meeting, once fixed, cannot be altered by the Commission except with the assent of the parties.

If the Inquiry Convention has not determined what languages are to be employed, the question shall be decided by the Commission.

ARTICLE 12.—Unless an undertaking is made to the contrary, Commissions of Inquiry shall be formed in the manner determined by Articles XLV and LVII of the present Convention.<sup>1</sup>

ARTICLE 13.—Should one of the Commissioners or one of the Assessors, should there be any, either die, or resign, or be unable for any reason whatever to discharge his functions, the same procedure is followed for filling the vacancy as was followed for appointing him.

ARTICLE 14.—The parties are entitled to appoint special agents to attend the Commission of Inquiry, whose duty it is to represent them and to act as intermediaries between them and the Commission.

They are further authorized to engage counsel or advocates, appointed by themselves, to state their case and uphold their interests before the Commission.

ARTICLE 15.—The International Bureau of the Permanent Court of Arbitration acts as registry for the Commissions which sit at The Hague, and shall place its offices and staff at the disposal of the Contracting Powers for the use of the Commission of Inquiry.

ARTICLE 16.—If the Commission meets elsewhere than at The Hague, it appoints a Secretary-General, whose office serves as registry.

It is the function of the registry, under the control of the President, to make the necessary arrangements for the sittings of the Commission, the preparation of the Minutes, and, while the inquiry lasts, for the charge of the archives, which shall subsequently be transferred to the International Bureau at The Hague.

ARTICLE 17.—In order to facilitate the constitution and working of Commissions of Inquiry, the Contracting Powers recommend the following rules, which shall be applicable to the inquiry procedure in so far as the parties do not adopt other rules.

ARTICLE 18.—The Commission shall settle the details of the procedure not covered by the Special Inquiry Convention or the present Convention, and shall arrange all the formalities required for dealing with the evidence.

ARTICLE 19.—On the inquiry both sides must be heard.

<sup>1</sup> The articles relate to arbitration procedure.



At the dates fixed, each party communicates to the Commission and to the other party the statements of facts, if any, and, in all cases, the instruments, papers, and documents which it considers useful for ascertaining the truth, as well as the list of witnesses and experts whose evidence it wishes to be heard.

ARTICLE 20.—The Commission is entitled, with the assent of the Powers, to move temporarily to any place where it considers it may be useful to have recourse to this means of inquiry or to send one or more of its members. Permission must be obtained from the State on whose territory it is proposed to hold the inquiry.

ARTICLE 21.—Every investigation, and every examination of a locality, must be made in the presence of the agents and counsel of the parties or after they have been duly summoned.

ARTICLE 22.—The Commission is entitled to ask from either party for such explanations and information as it considers necessary.

ARTICLE 23.—The parties undertake to supply the Commission of Inquiry, as fully as they may think possible, with all means and facilities necessary to enable it to become completely acquainted with, and to accurately understand, the facts in question.

They undertake to make use of the means at their disposal, under their municipal law, to insure the appearance of the witnesses or experts who are in their territory and have been summoned before the Commission.

If the witnesses or experts are unable to appear before the Commission, the parties will arrange for their evidence to be taken before the qualified officials of their own country.

ARTICLE 24.—For all notices to be served by the Commission in the territory of a third Contracting Power, the Commission shall apply direct to the Government of the said Power. The same rule applies in the case of steps being taken on the spot to procure evidence.

The requests for this purpose are to be executed so far as the means at the disposal of the Power applied to under its municipal law allow. They can not be rejected unless the Power in question considers they are calculated to impair its sovereign rights or its safety.

The Commission will equally be always entitled to act through the Power on whose territory it sits.

ARTICLE 25.—The witnesses and experts are summoned on the request of the parties or by the Commission of its own motion, and, in every case, through the Government of the State in whose territory they are.

The witnesses are heard in succession and separately, in the presence of the agents and counsel, and in the order fixed by the Commission.

ARTICLE 26.—The examination of witnesses is conducted by the President.

The members of the Commission may however put to each witness questions which they consider likely to throw light on and complete his evidence, or get information on any point concerning the witness within the limits of what is necessary in order to get at the truth.

The agents and counsel of the parties may not interrupt the witness when he is making his statement, nor put any direct question to him, but they may ask the President to put such additional questions to the witness as they think expedient.

ARTICLE 27.—The witness must give his evidence without being allowed to read any written draft. He may, however, be permitted by the President to consult notes or documents if the nature of the facts referred to necessitates their employment.

ARTICLE 28.—A Minute of the evidence of the witness is drawn up forthwith and read to the witness. The latter may make such alterations and additions as he thinks necessary, which will be recorded at the end of his statement.

When the whole of his statement has been read to the witness, he is asked to sign it.

ARTICLE 29.—The agents are authorized, in the course of or at the close of the inquiry, to present in writing to the Commission and to the other party such statements, requisitions, or summaries of the facts as they consider useful for ascertaining the truth.

ARTICLE 30.—The Commission considers its decisions in private and the proceedings are secret.

All questions are decided by a majority of the members of the Commission.

If a member declines to vote, the fact must be recorded in the Minutes.

ARTICLE 31.—The sittings of the Commission are not public, nor the Minutes and documents connected with the inquiry published except in virtue of a decision of the Commission taken with the consent of the parties.

ARTICLE 32.—After the parties have presented all the explanations and evidence, and the witnesses have all been heard, the President declares the inquiry terminated, and the Commission adjourns to deliberate and to draw up its Report.

ARTICLE 33.—The Report is signed by all the members of the Commission.

If one of the members refuses to sign, the fact is mentioned; but the validity of the Report is not affected.

ARTICLE 34.—The Report of the Commission is read at a public sitting, the agents and counsel of the parties being present or duly summoned.

A copy of the Report is given to each party.

ARTICLE 35.—The Report of the Commission is limited to a statement of facts, and has in no way the character of an Award. It leaves to the parties entire freedom as to the effect to be given to the statement.

ARTICLE 36.—Each party pays its own expenses and an equal share of the expenses incurred by the Commission.<sup>20</sup>

## THE TAFT TREATIES<sup>21</sup>

It was not until President Taft, in 1911, began negotiations with France and Great Britain for arbitration treaties of the broadest possible scope that the commission of inquiry again came into prominence. In principle the identic texts signed on August 3, 1911, were a great improvement over any other general treaties of the kind previously negotiated, excepting such as contained no exceptions whatever. They properly and for the first time made the legal character of a dispute the test of its arbitrable quality, thus avoiding exceptions of the purely capricious kind. For national honor and vital interests are anything or nothing, according as the public point of view happens to be at a time of stress or crisis. But, sound as the phrasing was in this respect, the notable thing about

<sup>20</sup>Ratifications of the Convention containing these articles have been deposited at The Hague as follows: Germany, United States, Austria-Hungary, Bolivia, China, Denmark, Great Britain, Mexico, Netherlands, Russia, Salvador and Sweden, November 27, 1909; Belgium, August 8, 1910; Brazil, December 31, 1910; Cuba, February 22, 1912; Spain, March 18, 1913; France, October 7, 1910; Guatemala, March 15, 1911; Haiti, February 2, 1910; Japan, December 13, 1911; Luxemburg, August 28, 1912; Nicaragua, December 16, 1909; Norway, September 19, 1910; Panama, August 19, 1911; Portugal, April 13, 1911; Rumania, March 1, 1912; Siam, March 12, 1910; and Switzerland, May 12, 1910. It will be interesting to compare this list with the adherents to the Wilson-Bryan proposal.

<sup>21</sup>See Appendix, page 28; full text in *Treaties, Conventions, etc.*, Vol. III, 385.

the treaties was their definite employment of the commission of inquiry for its proper purpose. It should be understood that the broad principles of the definition of arbitration and the use of the commission in connection with it brought forth no objections from any quarter where the text of the treaties was understood. The truth of this can be seen by a study of the text as it finally obtained the Senate's advice and consent to ratification. Neither principle was combated, and Senator Lodge said in his report from the Committee on Foreign Relations, "The committee assents to the arbitration of all questions coming within the rule prescribed in Art. 1." The committee had no objection to the rest of the treaties, relating to a joint high commission of inquiry, as a whole. The specific objection was that by the treaties the commission's decision that a dispute came within the terms of Article 1 made arbitration of it obligatory. On that rock the treaties were wrecked.

The employment of the commission of inquiry in the Taft treaties marked a considerable departure from the character of that instrument as it had been understood. Its jurisdiction remained that of investigating, but it was invested with a quasi-legal character in that its decision whether or not a controversy fell within the definition of "justiciable by reason of being susceptible of decision by the application of the principles of law or equity" was to control the future handling of the matter. The treaties, therefore, departed to that extent from the freedom of action permitted by the Hague provisions, but the fact that they were bipartite documents was believed to avoid difficulty from that point of view. The commission was to receive any questions whether they involved principles of law or equity or not. It is an important and little recognized fact in relation to these treaties that the reference of any questions to the commission would be by special agreement, which itself would have to come before the Senate for approval and whose terms of reference the Senate would therefore be able to control. In the writer's judgment, disregard of this technical condition explained much of the opposition to the treaties.

In the Senate the revision of the treaty texts involved but two points. One was to make it clear by means of a reservation in the resolution assenting to ratification that questions of national policy should not be included in "justiciable claims of right,"—a legally obvious assertion. The other was to deprive the commission of its quasi-legal power itself to agree that "such difference is within the

scope of Art. 1," whereby it should be referred to arbitration. The power thus granted to the commission to bind the parties to arbitrate was stricken out by the Senate, which expressed the feeling by a bare majority that its freedom of action as part of the constitutional treaty-making power was thereby hampered.

The Administration had set its heart on the treaties as they were negotiated, and did not ratify them, so that they became dead letters.

### THE WILSON-BRYAN PLAN

The new Administration took over the ship of state on March 4, 1913. President Wilson was known for his wide knowledge of governmental affairs, and was sympathetic with any practical method of further insuring the peace of the world. His secretary of state, William Jennings Bryan, had been for years a public man whose many speeches and addresses had made it well known that he was an ardent pacifist. Mr. Bryan's interest in the peace cause was one of the chief considerations referred to in the estimates of his probable activities as secretary of state, and there was much speculation as to whether he would attempt to revive the former administration's arbitration treaties when he came face to face with the question of renewing the 25 general arbitration treaties which the Government had signed in 1908 or 1909. The Administration might renew these, substitute for them revisions of the Taft treaties, revive the Taft treaties as advised and consented to by the Senate, or introduce a new proposal. The second and third alternatives were unlikely, since the new Administration's mandate from the people was also new.

As a matter of fact, both the first and fourth alternatives were adopted. On April 23, only six weeks after the inauguration of the new Administration, Mr. Bryan met the members of the Senate Committee on Foreign Relations to lay before them a project which had been discussed with and approved by the President, and which the Department of State intended to propose to the powers. The project Mr. Bryan presented to the committee, whose report upon any treaty presented to the Senate with a view to ratification would determine its fate, was in broad outline to place the investigation and report of a commission of inquiry before any possible declaration of war. Such an investigation would be automatic, but would not

look to arbitration nor restrict the future freedom of action of the disputants in any way.

The essential idea had been in Mr. Bryan's mind for almost seven years. He attended the 14th Conference of the Interparliamentary Union at London in July, 1906, and at that time participated in the discussions concerning a model arbitration treaty designed to secure as broad a scope as possible for that method of settling disputes. The attempt was made in that treaty project to define the questions which indubitably could be arbitrated. Baron von Plener reported the project favorably from committee on July 23, and Mr. Bryan proposed an amendment to the text in the following terms:—

If a disagreement should occur between the contracting parties which, in the terms of the Arbitration Treaty, need not be submitted to arbitration, they shall, before declaring war or engaging in any hostilities, submit the question in controversy to the Hague Court or some other impartial international tribunal for investigation and report, each party reserving the right to act independently afterward.

The amendment was referred to the Council, and reported back to the Conference in a slightly altered form.

In introducing the amendment, Mr. Bryan said in part:—

I cannot say that it is a new idea, for since it was presented I have learned that the same idea in substance was presented last year at Brussels by Mr. Bartholdt, of my own country, and I am very glad that I can follow in his footsteps in the urging of this amendment. I may add also that it is in line with the suggestion made by Sir Henry Campbell-Bannerman yesterday. In that splendid speech he said: If a disagreement should occur between the contracting parties which, in the terms of the arbitration treaty, need not be submitted to arbitration, they shall, before declaring war or engaging in any hostilities whatever, submit the question or questions in controversy to the Hague Court, or some other impartial tribunal, for investigation and report, each party reserving the right to act independently afterward. This amendment is in harmony with this suggestion. The resolution is in the form of a postscript to the treaty. I am not sure but the postscript in this case is as important as the letter itself, for it deals with those questions which have defied arbitration, certain questions affecting the honor or integrity of a nation considered outside the jurisdiction of a court of arbitration,—and these are the questions which have given trouble. Passion is not often aroused by questions that do not affect a nation's integrity or honor, but, for fear these questions may arise, arbitration is not always employed where it might be.

The first advantage, then, of this resolution is that it secures an investigation of the facts; and if you can but separate the facts from the question of honor, the chances are a hundred to one that you can settle both the fact and the question of honor without war. There is, therefore, a great advantage in an investigation that brings out the facts, for disputed facts between nations, as between friends, are the cause of most disagreements.

The second advantage of this investigation is that it gives time for calm consideration. That has already been well presented by the gentleman who has preceded me, Baron von Plener. I need not say to you that a man excited is a

very different animal from a man calm, and that questions ought to be settled, not by passion, but by deliberation. If this resolution would do nothing else but give time for reflection and deliberation, there would be sufficient reason for its adoption. If we can but stay the hand of war until conscience can assert itself, war will be made more remote. When men are mad, they swagger around and tell what they can do; when they are calm, they consider what they ought to do.

The third advantage of this investigation is that it gives opportunity to mobilize public opinion for the compelling of a peaceful settlement, and that is an advantage not to be overlooked. Public opinion is coming to be more and more a power in the world. One of the greatest statesmen my country has produced, Thomas Jefferson, said that, if he had to choose between a government without newspapers and newspapers without a government, he would rather risk the newspapers without a government. You may call it an extravagant statement, and yet it presents an idea, and that idea is that public opinion is a controlling force. . . . If time is given for marshaling the force of public opinion, peace will be promoted. This resolution is presented, therefore, for the reasons that it gives an opportunity to investigate the facts and to separate them from the question of honor; that it gives time for the calming of passion; and that it gives a time for the formation of a controlling public sentiment.

The next year the project of treaty was discussed at the Second Hague Conference, where it failed of passage owing to failure of the multifarious interests represented to agree upon the list of arbitrable questions.

It was the principle phrased in the terms just quoted that President Wilson and Mr. Bryan submitted to the Senate Committee on Foreign Relations, which signified its general approval of the principle and promised favorable consideration of any treaty embodying it. With this expression of opinion from the co-ordinate part of the treaty-making power, President Wilson on April 24 communicated to the diplomats accredited near the Government of the United States the following peace proposal:—

The parties hereto agree that all questions of whatever character and nature, in dispute between them, shall, when diplomatic efforts fail, be submitted for investigation and report to an international commission (the composition to be agreed upon); and the contracting parties agree not to declare war or begin hostilities until such investigation is made and report submitted.

The investigation shall be conducted as a matter of course upon the initiative of the commission, without the formality of a request from either party; the report shall be submitted within (time to be agreed upon) from the date of the submission of the dispute, but the parties hereto reserve the right to act independently on the subject matter in dispute after the report is submitted.

This supplementary memorandum by the secretary of state was issued at the same time:—

In the peace plan proposed by the President to all the nations, the composition of the International Commission is left to agreement between the parties.

and I am authorized to suggest for the consideration of those who are willing to enter into this agreement:

1. That the International Commission be of five members, to be composed as follows: one member from each of the contracting countries, to be chosen by the Government; one member to be chosen by each of the contracting countries from some other country, and the fifth member of the Commission to be agreed upon by the two Governments, the Commission to be appointed as soon as convenient after the making of the treaty, vacancies to be filled according to the original appointment.

2. The time also is to be agreed upon, and it is suggested that that time be one year. If a year is considered too long or too short, this Government will consider either a greater or a less period.

3. This Government is prepared to consider the question of maintaining the *status quo* as to military and naval preparation during the period of investigation, if the contracting nation desires to include this, and this Government suggests tentatively that the parties agree that there shall be no change in the military and naval program during the period of investigation unless danger to one of the contracting parties from a third power compels a change in said program, in which case the party feeling itself menaced by a third power, shall confidentially communicate the matter in writing to the other contracting party and it shall thereupon be released from the obligation not to change its military or naval program, and this release will at the same time operate as a release of the other contracting party. This protects each party from the other in ordinary cases, and yet provides freedom of action in emergencies.

All of these suggestions, however, are presented for consideration, and not with the intention of imposing any fixed conditions. The principle of investigation being accepted, the details are matters for conference and consideration.

The Government naturally did not issue any detailed statement of the governments to which this proposal was made, for such a statement might later be construed as reflecting upon any which did not see fit to respond. No such consideration need control the individual, and, recalling that diplomatic circular notes are addressed to the governments with which any government maintains diplomatic relations, it may be in point to mention that at the time 39 States had diplomats accredited to Washington. The revolutionary government *de facto* in Mexico had not been recognized, and consequently Mexico was without diplomatic representation at the American capital.

In the period since April 24, 1913, until the end of the year, 31 out of the 39 had indicated acceptance of the plan,<sup>22</sup> leaving but 8 States with diplomatic representation at Washington which had not responded affirmatively within the exceedingly short time—diplomatically speaking—of eight months. As soon as the Department of State began to get favorable reports to the proposal, its machinery

<sup>22</sup>Not only has the proposal met favor with Governments, but several important organizations have endorsed it, those of semi-official character being: The First Conference of French and German Members of Parliament at Berne, Switzerland, May 11; The American Group of the Interparliamentary Union, June 25; The Interparliamentary Union, September 3.

was set to work to prepare a treaty embodying the idea. On August 7, less than three months after the proposal was made, a treaty was signed with Salvador. The list of the other contracting States and the order of the acceptances will be found on page 26.

Negotiations with the other accepting powers will be conducted continuously, it being the evident intention to complete treaties with the smaller powers before formally initiating negotiations with the larger ones. The text which has been signed is as follows:—

## THE WILSON-BRYAN PEACE PLAN

The United States of America and the Republic of Salvador,<sup>13</sup> being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose and to that end have appointed as their plenipotentiaries:

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

The President of Salvador, Señor Don Federico Mejía, Envoy Extraordinary and Minister Plenipotentiary of Salvador to the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

### ARTICLE I.

The high contracting parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding Article; and they agree not to declare war or begin hostilities during such investigation and report.

<sup>13</sup> The other treaties signed, up to that with the Netherlands on December 18, are identic, *mutatis mutandis*. The treaty with the Netherlands omits Article IV and contains a new draft of Article I, as follows:—

"The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted."

Other textual variations in the Netherlands treaty include addition to the provision relative to the fifth commissioner that it is "understood that he shall not be a citizen of either country," provision for a period of six rather than four months after the ratification for the appointment of the commission, and in Article III the insertion of the following as the second paragraph:—

"The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities for its investigation and report."



## ARTICLE II.

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments. The expenses of the Commission shall be paid by the two Governments in equal proportion.

The International Commission shall be appointed within four months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

## ARTICLE III.

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, act upon its own initiative, and in such case it shall notify both Governments and request their co-operation in the investigation.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the high contracting parties shall extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

The high contracting parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

## ARTICLE IV.

Pending the investigation and report of the International Commission, the high contracting parties agree not to increase their military or naval programs, unless danger from a third power should compel such increase, in which case the party feeling itself menaced shall confidentially communicate the fact in writing to the other contracting party, whereupon the latter shall also be released from its obligation to maintain its military and naval *status quo*.

## ARTICLE V.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate

thereof; and by the President of the Republic of Salvador, with the approval of the Congress thereof; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the high contracting parties have given notice to the other of an intention to terminate it.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the seventh day of August, in the year of our Lord nineteen hundred and thirteen.

It can be seen from the mere recital of the remarkable record of the proposal that it introduces a virile principle among the existing methods for the pacific settlement of international disputes. A comparison of it with its prototypes will make clear the quality of the advance toward peace which is its foundation and *raison d'être*.

The commission of inquiry as formerly established was a commission *ad hoc*, to be organized for a specific case. It was purely optional in character, and had no reference to the transition from the normal status of peace to the abnormal one of war, which has been practically held to be a condition which a state entered at its own discretion or lack of discretion. The commission was primarily designed to perform the function of a master appointed by an Anglo-Saxon court or the *juge d'instruction* of the Roman legal system,—to find and determine facts.

Acting upon the fundamental proposition that facts cannot be avoided, and should have no terrors for any right-minded government, the Wilson-Bryan treaty develops this machinery logically. Carried into force, it renders it impossible that any governments bound by it should ever go into war without knowing precisely what they were fighting about. The commission being a good thing, it is made permanent. From being optional for any case, it becomes obligatory and automatic for "all disputes, of every nature whatsoever, which diplomacy shall fail to adjust." It has been said that the descent to hell is easy: the transition from peace to war is no less so, and it has happened in the past that excited public opinion has forced war without cooler heads being able to apply any brake. The Wilson-Bryan treaty introduces such a brake, and insures that no war will be fought until after the sober second thought of governments and people.

In the healthy condition of international affairs the ordinary diplomatic method of negotiation takes care of all questions arising, and probably solves 95 per cent. of all questions "as all in the day's work." But diplomacy finds it difficult to digest the remainder, and from these questions, in their degree, there emerges the possibility of sickness in the body politic. A very few of them occasionally threaten more than a day or two of "not feeling well," and appear to portend the real sickness of war for the State. For this condition, arbitration has been prescribed in the past. Arbitration involves some formality and an actual prescription in the shape of an award. If arbitration be likened to the conclusion of a council of physicians, the commission of inquiry may be held similar to the friendly consultation of the family physician, who tells the patient the facts in his case and leaves it to his good judgment whether or not he will call in the specialists.

The success of the Wilson-Bryan proposal may be defined as due to its strict adherence to the principle of the commission of inquiry; the advance it records is that of the greatest possible development within the limits of that principle. It brings forward into the range of practical affairs the well-attested maxim that war will not come in cold blood from a dispute the facts of which are thoroughly attested. It goes no further, for freedom of action is reserved by both parties after the commission's work is done.

Several technical points may be mentioned regarding the relation of the treaties already signed to the American system of government. The fact that the commission becomes a permanent one makes appointments to it on the part of the United States subject to confirmation by the Senate. On this account the Senate, as a co-ordinate part of the treaty-making power, is in a position always to secure commission members for the American quota who are satisfactory to it. Article III provides that the parties may refer a dispute to the commission or the commission may act on its own initiative. The latter alternative offers a new problem, for hitherto commissions have acted *ad hoc* with their jurisdiction laid down by the governments. The first alternative implies the intention of negotiating a special convention, which would come before the Senate. The second would doubtless result in the same procedure, for the commission's initiative is restricted to initiative, after which the co-operation of the governments must be obtained. But, practical procedure aside, the fact that the parties reserve the right to act independently

after the report has been made clearly eludes the objection of undue binding of the legislative power.

Article IV is a most valuable point of agreement. It provides that military or naval programs, not armaments, shall not be increased during investigation by the commission. Or, if "danger from a third power should compel such increase," the restriction shall be removed only after the true reason has been officially communicated to the other party. When two States are at loggerheads, they are very suspicious of each other: any move on the part of either is translated by the other as directed against itself. Since no State wants armies or navies for themselves, but for the defense they furnish, maintenance of the *status quo* can work no hardship and can only serve to allay suspicion. Any one who follows public affairs generally can recall times of tension when the routine movements of troops or vessels in Europe have fanned the Old World to fever heat, until the routine character of the movements was learned. The Wilson-Bryan treaty will prevent fire near the powder barrel. There can be no doubt that the treaties will have a powerful effect on removing the possibility of war and of obliterating from the world stage the shadow of war that appears in the preparation of bloated armaments.

### TREATIES IN FORCE.

(Corrected to March, 1915.)

The stages of these treaties are:—

1. Negotiation proposed by identic note, accepted in principle;
2. Negotiation, resulting in treaties signed;
3. Ratification advised by parliamentary organs (where necessary);
4. Ratification by executives of states;
5. Exchange of ratifications;
6. Proclamation, promulgation or publication of treaties to people.

**BOLIVIA.**—Order of acceptance in principle, 11; seventh treaty, signed at Washington, January 22, 1914; ratification advised by United States Senate, August 13, 1914; ratified by the President, January 4, 1915; ratified by Bolivia, November 14, 1914; ratifications exchanged at Washington, January 8, 1915; proclaimed, and in force for five years from, January 9, 1915; text, *Treaty Series*, No. 606.

**COSTA RICA.**—Order of acceptance in principle, 24; twelfth treaty, signed at Washington, February 13, 1914; ratification advised by United States Senate, August 13, 1914; ratified by the President, November 11, 1914; ratified by Costa Rica, July 25, 1914; ratifications exchanged at Washington, November 12, 1914; proclaimed and in effect, November 13, 1914, for five years; text, *Treaty Series*,

**DENMARK.**—Order of acceptance in principle, 21; tenth treaty, signed at Washington, February 5, 1914; ratified by Danish House, February 27, 1914; rejected by Danish Senate, March 28, 1914; redrafted and signed at Washington, April 17, 1914; ratification advised by United States Senate, September 30, 1914; ratified by President, January 14, 1915; ratified by Denmark, November 21, 1914; ratifications exchanged at Washington, January 19, 1915; proclaimed and in effect, January 20, 1915, for five years; text, *Treaty Series*, No. 608.

**FRANCE.**—Order of acceptance in principle, 3; twenty-third treaty, signed at Washington, September 15, 1914; ratification advised by United States Senate, September 25, 1914; ratified by the President, January 14, 1915; ratified by France, December 3, 1914; ratifications exchanged at Washington, January 22, 1915; proclaimed and in effect, January 23, 1915; text, *Treaty Series*, No. 609.

**GREAT BRITAIN.**—Order of acceptance in principle, 2; twenty-fourth treaty, signed at Washington, September 15, 1914; ratification advised by United States Senate, September 25, 1914; ratified by the President, November 14, 1914; ratified by Great Britain, October 8, 1914; ratifications exchanged at Washington, November 10, 1914; proclaimed and effective, November 11, 1914, for five years; text, *Treaty Series*, No. 602.

**GUATEMALA.**—Order of acceptance in principle, 16; second treaty, signed at Washington, September 30, 1913; ratification advised by the Senate, with amendments, August 13, 1914; ratified by the President, August 27, 1914; ratified by Guatemala, May 15, 1914; ratifications exchanged at Washington, October 13, 1914; proclaimed and in effect, October 13, 1914, for five years; text, *Treaty Series*, No. 598.

**NORWAY.**—Order of acceptance in principle, 6; sixteenth treaty, signed at Washington, June 24, 1914; ratification advised by United States Senate, August 13, 1914; ratified by the President, October 14, 1914; ratified by Norway, September 18, 1914; ratifications exchanged at Washington, October 21, 1914; proclaimed by President, October 22, 1914; *Treaty Series*, No. 599.

**PORTUGAL.**—Order of acceptance in principle, 19; eighth treaty, signed at Lisbon, February 4, 1914; ratification advised by United States Senate, August 13, 1914; ratified by the President, October 21, 1914; ratified by Portugal, September 26, 1914; ratifications exchanged at Washington, October 24, 1914; proclaimed by President, October 27, 1914; text, *Treaty Series*, No. 600.

**SPAIN.**—Order of acceptance in principle, 18; twenty-fifth treaty, signed at Washington, September 15, 1914; ratification advised by United States Senate, September 25, 1914; approved by Spanish Council of Ministers, October 15, 1914; signed at Washington, September 15, 1914; ratification advised by the Senate, September 25, 1914; ratified by the President, November 23, 1914; ratified by Spain, November 23, 1914; ratifications exchanged at Washington, December 21, 1914; proclaimed and in force for five years from December 23, 1914; text, *Treaty Series*, No. 605.

**SWEDEN.**—Order of acceptance in principle, 5; twenty-eighth treaty signed at Washington, October 13, 1914; ratification advised by the Senate, October 22, 1914; ratified by the President, January 4, 1915; ratified by Sweden, November 13, 1914; ratifications exchanged at Washington, January 11, 1915; in effect for five years from date of exchange; proclaimed, January 12, 1915; text, *Treaty Series*, No. 607.

**URUGUAY.**—Order of acceptance in principle, 35; eighteenth treaty, signed at Washington, July 20, 1914; ratification advised by United States Senate, August 13, 1914; ratified by the President, February 19, 1915; ratified by Uruguay, November 25, 1914; ratifications exchanged at Washington, February 24, 1915; in force for five years from February 24, 1915; proclaimed, February 26, 1915; text, *Treaty Series*, No. 611.

Treaties have been signed with: Argentine Republic, signed July 24, 1914; Brazil, July 24, 1914; Chile, September 15, 1914; China, September 15, 1914; Dominican Republic, February 17, 1914; Ecuador, October 13, 1914; Greece, October 13, 1914; Honduras, November 3, 1913; Italy, May 5, 1914; Netherlands, December 18, 1913; Nicaragua, December 17, 1913; Paraguay, August 29, 1914; Persia, February 4, 1914; Peru, July 14, 1914; Panama, September 20, 1913; Russia, October 1, 1914; Salvador, August 7, 1913; Switzerland, February 13, 1914; Uruguay, July 20, 1914; Venezuela, March 21, 1914.

Acceptances in principle have been made by: Austria-Hungary, Belgium, Cuba, Germany, and Haiti.

## APPENDIX I.—THE TAFT ARBITRATION TREATY.

*(Senate desired to strike out part in brackets.)*

**ARTICLE II.** The High Contracting Parties further agree to institute as occasion arises, and as hereinafter provided, a Joint High Commission of Inquiry to which, upon the request of either Party, shall be referred for impartial and conscientious investigation any controversy between the Parties within the scope of Article I, before such controversy has been submitted to arbitration, and also any other controversy hereafter arising between them even if they are not agreed that it falls within the scope of Article I; provided, however, that such reference may be postponed until the expiration of one year after the date of the formal request therefor, in order to afford an opportunity for diplomatic discussion and adjustment of the questions in controversy, if either Party desires such postponement.

Whenever a question or matter of difference is referred to the Joint High Commission of Inquiry, as herein provided, each of the High Contracting Parties shall designate three of its nationals to act as members of the Commission of Inquiry for the purposes of such reference; or the Commission may be otherwise constituted in any particular case by the terms of reference, the membership of the Commission and the terms of reference to be determined in each case by an exchange of notes.

The provisions of Articles 9 to 36, inclusive, of the Convention for the Pacific Settlement of International Disputes concluded at The Hague on the 18th October, 1907, so far as applicable and unless they are inconsistent with the provisions of this Treaty, or are modified by the terms of reference agreed upon in any particular case, shall govern the organization and procedure of the Commission.

**ARTICLE III.** The Joint High Commission of Inquiry, instituted in each case as provided for in Article II, is authorized to examine into and report upon the particular questions or matters referred to it, for the purpose of facilitating the solution of disputes by elucidating the facts, and to define the issues presented by such questions, and also to include in its report such recommendations and conclusions as may be appropriate.

The reports of the Commission shall not be regarded as decisions of the questions or matters so submitted either on the facts or on the law and shall in no way have the character of an arbitral award.

[It is further agreed, however, that in cases in which the Parties disagree as to whether or not a difference is subject to arbitration under Article I of this Treaty, that question shall be submitted to the Joint High Commission of Inquiry; and if all or all but one of the members of the Commission agree and report that such difference is within the scope of Article I, it shall be referred to arbitration in accordance with the provisions of this Treaty.]

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BY

CHARLES H. LEVERMORE

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# THE FOUNDATIONS OF INTERNATIONAL RELATIONS.

## SUGGESTIONS FOR A COURSE OF LECTURES.

The purpose of these pages is to help, if possible, students and teachers of history and political science in the study of international relations. The phrase "international relations" presupposes among States a certain amount of organization for common purposes. There are many such organizations in existence, some public, or official, and more private, or unconnected with official administration. The last issue of the *Annuaire de la Vie Internationale*, which appeared for the years 1910-11 from the Office Central des Associations Internationales at Brussels, shows just how many ties of both classes, public and private, are now binding together the daily life, thought and action of the present world-family of States and nations. This huge work, giving in 2660 pages an account of 510 international organizations, cannot be adequately even summarized here. The next *Annuaire*, for the years 1912-13, will doubtless show 600 or more of these tissues of international life that cross all national boundaries and are rapidly creating a common acquaintance and solidarity of sentiment throughout the enlightened world. Out of this great number are selected here the principal national and international forces that are working to secure the substitution of peaceful, judicial methods of settling international disputes for the method of warfare. In connection with this list of associations will be found the essential statistical information concerning their publications, and also concerning other publications that deal with the same subject.

It should not be overlooked that the chancelleries of the enlightened world and the incumbents of chief executive chairs, whether royal or presidential, have now become almost universally eager and active friends of permanent peace. If philanthropic and religious motives have not impelled them to take this attitude, economic and financial conditions have compelled it. The empire of credit and the

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vast expenditures in the mad race of armaments have together forced the rulers of the great powers to dread nothing more than the danger of using those armaments in the arbitrament of war.

In addition, these pages contain the outline of a course of at least six possible lectures on the organization of the world for peace with justice. The topics thus named will readily suggest many others. Under each subject is a brief list of references from which the material for a lecture or lectures can be derived. Classified among these references will be found the principal publications of the various organizations which promote world peace. The resources of local libraries are not always adequate for the preparation of addresses upon international relations. Persons interested in the subject may be pleased to learn from these pages how many valuable publications may be obtained for a moderate outlay and how much may be had merely for the asking. Some of the books mentioned in these lists are now out of print and are so designated, but they have been retained here because they are sometimes found in the markets and are useful to the student.

Although a main purpose of this work is to present a comprehensive view of the peace movement and to demonstrate inferentially that existing international relations must broaden into international peace and order, among the references all kinds of scholarly opinion are represented. The chief defenders of the theory that war is inevitable or even beneficial are entitled to their day in court, and General von Bernhardi and Admiral Mahan are placed here by the side of Norman Angell and Mr. and Mrs. Mead. The cause of World Peace with Justice under Law is sure to profit by the complete comparison of argument.

If advice is desired concerning the relative merits and usefulness of the various items contained in the bibliographies in this pamphlet, correspondence addressed to the author at 40 Mt. Vernon Street, Boston, will be welcome.

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## LIST OF ORGANIZATIONS CLOSELY CONCERNED WITH THE PROGRESS OF INTERNATIONAL RELATIONS.

**American Association for International Conciliation**, 1906. Dr. Frederick P. Keppel, secretary, 407 West 117th Street, Substation 84, New York City. This association is the American branch of Conciliation Internationale, *q. v.* There are also English, French and German branches. Pamphlet publications, beginning in April, 1907, are distributed free up to the limit of editions printed.

**American Peace Society**, founded 1815-1828. Secretary, Dr. Benjamin F. Trueblood; executive director, Mr. Arthur Deerin Call, Colorado Building, Washington, D.C. The *Advocate of Peace*, a monthly publication, is the organ of the society. The subscription price is \$1 per year. From this society also may be obtained the Proceedings of the National Peace Congresses of 1907, 1909, 1911 and 1913. Each volume is sold for 75 cents. The society publishes the report of the 13th Universal Peace Congress, held in Boston in 1904, a volume of 350 pages, price 10 cents.

**American Society for the Judicial Settlement of International Disputes**, founded in 1910. Dr. James Brown Scott, secretary, 2 Jackson Place, Washington, D.C. The annual conferences of this society began in 1910. Volumes of proceedings are sent free to members. Pamphlet publications, now issued quarterly, are sent free to any address. Applications for them may be made to the assistant secretary, Tunstall Smith, The Preston, Baltimore, Md.

**American Society of International Law**, founded in 1905. Dr. James Brown Scott, secretary, 2 Jackson Place, Washington, D.C. Since 1907 the society has published quarterly the *American Journal of International Law*, \$5 per annum.

**Association de la Paix par le Droit**, founded 1887. M. Jules Prudhommeaux, secretary, 10 rue Monjardin, Nîmes (Gard), France. Bimonthly organ, *La Paix par le Droit*. See also *Société Française pour l'Arbitrage entre Nations*.

**Association of Cosmopolitan Clubs**, a league of students in colleges and universities in the United States. Mr. Albert F. Coutant, secretary, Cornell Cosmopolitan Club, Ithaca, N.Y. The first Cosmopolitan Club was founded at Cornell University in 1904 by Modesto Quiroga, a student from Argentina. In the preceding year an International Club had been founded at the University of Wisconsin by a Japanese student, K. K. Kawakami. This club later became a member of the association. The organ of the association, *The Cosmopolitan Student*, is published monthly at the Cosmopolitan Club of the University of Michigan, Ann Arbor. The Cosmopolitan clubs are now affiliated with European and South American student organizations in the

**Corda Fratres, Fédération Internationale des Étudiants.**

Of the central committee of this federation the president is Dr. John Mez, "Die Bruecke," Schwindstrasse 30, Munich, Bavaria. The secretary is Mr. Miguel A. Muñoz, P.O. Box 1112, San Juan, Porto Rico. The American members of the committee are Mr. Louis P. Lochner and Dr. G. W. Nasmyth, director of the International Bureau of Students, 40 Mt. Vernon Street, Boston, Mass.

**Bureau International Permanent de la Paix**, Berne, Switzerland. See below, International Peace Bureau.

**Carnegie Endowment for International Peace.** Dr. James Brown Scott, secretary, 2 Jackson Place, Washington, D.C. Its *Year Books*, first issued in 1911, are sent free to any address. Its European Bureau is at 24 rue Pierre Curie, Paris.

**Conciliation Internationale**, founded in 1905 by Baron d'Estournelles de Constant. Secretarial office, 78 bis Avenue Henri Martin (16<sup>e</sup>), Paris, France.

**"Corda Fratres," Fédération Internationale des Étudiants.** See above, Association of Cosmopolitan Clubs.

**Deutsche Friedensgesellschaft**, founded 1892. 86 branches and 5 affiliated societies. Dr. Arthur Westphal, secretary, Neckarstrasse 69a, Stuttgart, Germany. This society publishes monthly *Völker-Friede*, subscription one mark per annum.

**Fédération Universelle des Étudiants Chrétiens.** See World's Student Christian Federation.

**Garton Foundation.** An endowment for the study of international relations with especial reference to the teachings of the book

"The Great Illusion," by Norman Angell, who is one of the prime movers in the foundation. Capt. the Hon. Maurice V. Brett, secretary, Whitehall House, Whitehall, London, S.W., England. The Garton Foundation has several allied societies, and not less than 31 Study Clubs have been formed under its auspices. Its organ is *War and Peace*, published monthly from October, 1913, and sold for 3*d.*

**Institut de Droit International**, founded in 1873, is now closely associated with the Carnegie Endowment. The address of the secretary-general is 11 rue Savaen, Ghent, Belgium. The Institut publishes a valuable *Annuaire*, price 6 francs.

**Institut International de la Paix.** Gabriel Chavet, secretary, 4 rue de Greffuhle, Paris, VIII. Founded by Prince Albert of Monaco in 1903, to publish documents important for the study of international relations. It has published a voluminous bibliography of Peace and Arbitration, prepared by Henri La Fontaine, under the title "Bibliographie de la Paix et de l'Arbitrage International." Vol. I, "The Peace Movement," appeared at Brussels in 1904, price 5 francs. It includes publications prior to May 1, 1893. Its other publications are numerous.

**Institutions Internationales**, Office Central des, 3 *bis* rue de la Régence, Palais des Beaux Arts, Brussels, Belgium. Directors, Henri La Fontaine and Paul Otlet. This executive bureau, founded in 1907, is the organ of the World Congresses of International Associations, comprising nearly 600 organizations that are international in character and influence. It is supported by various governments, by the Institut International, and by the Carnegie Endowment. It publishes (1) the reports of the Congresses, (2) *L'Annuaire de la Vie Internationale*, which was founded by Dr. Alfred H. Fried in 1905, and now appears in alternate years (price varying; vol. for 1910-11, unbound, 40 francs) and (3) *La Revue de la Vie Internationale*, monthly, price per annum 25 francs, or \$5.

**International Arbitration and Peace Association.** Mr. J. Frederick Green, secretary, 40-41 Outer Temple, Strand, London, W.C., England. The organ of this association is *Concord*, published monthly, subscription 1*s.* 6*d.* per annum.

**International Arbitration League.** Mr. F. Maddison, secretary, 183 St. Stephen's House, Victoria Embankment, London, S.W., England. The organ of the league, the *Arbitrator*, is published monthly, 2*s.* 6*d.* per annum.

**International Law Association**, founded in 1873. 28 conferences. Secretary's office, 1 Mitre Court Buildings, Temple, London, E.C.

**International Peace Bureau** (Bureau International Permanent de la Paix). Dr. Albert Gobat, director, M. Henri Golay, secretary, Kanonenweg 12, Berne, Switzerland. Organ, *The Peace Movement*, published at least monthly in French, German and English. Price, 10 francs per annum; for subscribers to peace papers, 5 francs. The bureau publishes also an "Annuaire du Mouvement Pacifiste," which covers with admirable thoroughness nearly the same ground as the "Peace Year Book," published by the English National Peace Council.

**Interparliamentary Union**. Dr. Christian L. Lange, secretary, 251 Avenue du Longchamps, Uccle-Brussels, Belgium. The union has published since 1911 an "Annuaire de l'Union Interparlementaire," price 5 francs. It also publishes a series of "Documents Interparlementaires," beginning in 1910, 1 franc each.

**National Peace Council**. Mr. Carl Heath, secretary, 167 St. Stephen's House, Westminster, S.W., London. A central body, representing 180 organizations. Publications: "The Peace Year Book," beginning 1910, price 1 shilling; *Monthly Circular*, price 1s. 2d.; and many pamphlets.

**Navy League of Great Britain**, 11 Victoria Street, Westminster, S.W., London. Publishes "The Navy League Annual," a complete review and critical study of naval conditions throughout the world, seventh year, 1913, 2s. 6d.

**Nobel Institut**, Drammensvei 19, Kristiania, Norway. Librarian and secretary of the Nobel Committee of the Norwegian Parliament, M. Ragnvald Moe. The library of the institute, founded in 1904, has been divided into four sections; viz., The Peace Movement, International Law, Political and Diplomatic History, and Social Sciences (Political Economy and Sociology). The institute has published a volume entitled "Bibliographie du Mouvement de la Paix," and a similar bibliography of international law is announced for 1913.

**Pan-American Union** (formerly International Bureau of American Republics). Hon. John Barrett, director-general, Washington, D.C. This organization is charged with the business of the quadrennial Pan-American Conferences (the last one at Buenos Aires in 1910), and it publishes a monthly *Bulletin* in English, Spanish, Portuguese and French, price of English edition per

annum \$2, single copies 25 cents. The Union also publishes books, pamphlets and maps upon Latin-American topics.

**Peace Society, The, of England**, founded in 1816. Dr. W. Evans Darby, secretary, 47 New Broad Street, London, E.C. 34 branches and affiliated societies. This society publishes monthly *The Herald of Peace and International Arbitration*, subscription per annum 1s. 6d.

**Società Internazionale per la Pace—Unione Lombarda**. Signor Doro Rosetti, secretary, Portici Settentrionali 21, Milan, Italy. This society publishes bimonthly *La Vita Internazionale*, subscription 12.50 lire.

**Société Française pour l'Arbitrage entre Nations**, founded in 1867. M. le Dr. J. L. Peuch, secretary, 24 rue Pierre Curie, Paris. Monthly publication, *La Paix par le Droit*, 3 francs 75 per annum.

**Verband für Internationale Verständigung**, German branch of Conciliation Internationale, but autonomous. Secretariate, Oberursel bei Frankfurt a. M., Liebfrauenstrasse 22. This society publishes "Mitteilungen des Verbandes für internationale Verständigung." Fee for membership, 3 marks.

**World Peace Foundation**, founded by Edwin Ginn of Boston in 1909 as the International School of Peace, reorganized and incorporated under the present name in 1910. Chief director, Edwin D. Mead, 40 Mt. Vernon Street, Boston, Mass. This Foundation publishes a series of pamphlets, and in addition the volumes of an International Library. The lists of these publications down to date will be sent to any address, and single copies of the pamphlet issues may be obtained gratuitously.

**World's Student Christian Federation** (Fédération Universelle des Étudiants Chrétiens), the outgrowth of the international activities of the Y. M. C. A. The moving spirit is Dr. John R. Mott, and the central office is in the Y. M. C. A. Building at 124 East 28th Street, New York. Organ, *The Student World*, quarterly, per annum 25 cents. Dr. Mott is also president of the "continuation committee" of the World Missionary Conference of All Protestant Churches, office 100 Princes Street, Edinburgh, which publishes quarterly *The International Review of Missions*.

**World's Young Women's Christian Association**. Office of general secretary, 26 George Street, Hanover Square, London. Organ, *The World's Y. W. C. A. Quarterly*, subscription per annum 6d.

In addition to the publications referred to in the foregoing list the inquirer may be interested to note the following:—

**Australia:** *Pax*, the organ of the New South Wales Peace Society. Monthly, 2s. 6d. per annum. Foy's Chambers, 1 Bond Street, Sydney, N.S.W.

*The Commonwealth*, monthly, 3s. 5d. per annum. Australian Church, Flinders Street, Melbourne, Victoria.

**Denmark:** *Fredsbladet*, monthly, subscription per annum 50 öre, Fælledvej 14, Copenhagen. Organ of the Danish Peace Society.

**England:** *The Peacemaker*. Organ of the British section of the Associated Councils of the Churches. 42 Parliament Street, London, S.W.

**France:** *Bulletin de la Ligue des Catholiques Français pour la Paix* (formerly the Society Gratry for advocating international peace). Organ of the French section of the International League of Catholic Pacifists. There are also Belgian, English, Spanish and Swiss sections. Quarterly, free to members of the society, 40 rue Franklin, Lyon.

*Le Courrier de l'École de la Paix*, 28 Boulevard St. Marcel, Paris. Occasional issues, each 15 centimes.

*Revue Générale de Droit International Public*, founded 1893, conducted by M. Paul Fauchille, published by A. Pedone, 13 rue Soufflot, Paris, 6 numbers yearly, price 20 francs.

**Germany:** *Die Friedenswarte*, monthly, 6m. 60 per annum. Edited by Dr. Alfred H. Fried, Widerhofergasse 5, Vienna; published by Pass & Garleb, Berlin, W 57.

**Holland:** *Vrede door Recht*. Organ of La Ligue Générale Néerlandaise, monthly, 1 florin per annum. Prinsessegracht 6, The Hague.

**Italy:** *Rivista di Diritto Internazionale*, conducted by Prof. D. Anzilotti, 8 via Bartolomeo Eustachio, Rome. Quarterly, per annum 16 lire.

**Sweden:** *Fredsfanan*. Organ of the Swedish Society of Peace and Arbitration. Regeringsgatan 74, Stockholm. Monthly, per annum 2k. 50.

**Switzerland:** *Les États Unis d'Europe*. Journal of La Ligue Internationale de la Paix et de la Liberté. Lausenstrasse 43, Berne. Monthly, price per annum 4 francs.



*Der Friede.* Organ of the Swiss Peace Society. B. Geering-Christ, Bäumleingasse 10, Bâle. Monthly, subscription 3 francs 60 per annum.

**United States:** *The Army and Navy Journal*, 20 Vesey Street, New York City, \$6 per annum. A journal which represents the sentiment of military and naval officers. Advocates of peace and students of international relations who read this publication will know the militarist point of view.

The student of international relations will occasionally need to use one or all of the following works of reference:—

**Almanach de Gotha.** Edited by Dr. Wendelmuth. A Year Book of Genealogical, Diplomatic and Statistical Information. Gotha: Justus Perthes, 151st year of publication. \$3.

**The Statesman's Year Book.** London and New York: Macmillan. \$3.  
A work giving special prominence to the British Empire. Issued since 1863.

**The American Statesman's Year Book.** New York: McBride, Nast & Company. \$4.

**The American Year Book.** Begun in 1910. New York: Appleton. \$3.50.

**Hazell's Annual Cyclopedia.** Begun in 1885. New York: Scribner (importer). \$1.50.

Contains an admirable account of all the important events of each year in each country on the globe, with summaries of political information and illustrative material.

**Annuaire du Mouvement Pacifiste.** Published by the International Peace Bureau at Berne, Switzerland.

**Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers, 1776-1909.** Compiled by William M. Malloy. 2 vols. Washington: Government Printing Office, 1910. \$2.50.

There is also a supplementary volume, covering the years 1909-1913, compiled by Garfield Charles (Sen. Doc. 1063, 62d Cong., 3d Session).

**Navy Year Book.** Compilation of Annual Naval Appropriation Laws from 1883 to date. Issued annually. Washington: Government Printing Office. The volume for 1913 is U.S. Senate Doc. No. 955, 62d Congress, 3d Session.

**The Naval Annual.** By J. A. Brassey. Portsmouth, England: J. Griffin & Company; London agents, Simpkin, Marshall & Company; imported by Scribner. \$5.

This work is the most complete and scholarly presentation of naval conditions that is published in English.

## Lecture I.

THE RELATION OF WAR TO CIVILIZATION IN ITS  
VARIOUS STAGES OF DEVELOPMENT.

1. War as an historical institution. Progress from Fist-Right to Law-Right; the right of private war is no longer recognized.
  2. War as an arbiter: a test of strength, not of justice.
  3. War now always wasteful and injurious, to the victors as well as to the vanquished.
  4. Biological results of warfare, the survival of the unfit.
  5. The influence of warfare upon morals, public and private.
  6. Preventives of warfare and substitutes for it:
    1. Good offices and mediation.
    2. Arbitration.
    3. Commissions of inquiry—the Bryan peace plan.
    4. Neutralization of territory.
    5. Refusal of financial support. Isolation and non-intercourse.
    6. Proposed establishment of a Court of Arbitral Justice.
- Cf. publications of the A. S. J. S. I. D.\**

**Allen, Arthur W.** *The Drain of Armaments.* P.,<sup>2</sup> W. P. F. Free.

**Angell, Norman.** *The Great Illusion; a study of the relation of military power to national advantage.* Latest edition, revised and enlarged. London: Heinemann, 1912. 2s. 6d. American edition published by Putnam, New York, 1913. \$1.

———. *War and the Essential Realities.* London: Watts & Company. 9d.

———. *Peace Theories and the Balkan War.* London: Horace Marshall & Son, 1912, paper, 1s.

**Bloch, Jean de.** *The Future of War.* W. P. F. 65 cents.

A translation of the more popular portion of the encyclopedic original work, "La Guerre," which was published in six volumes.

\*The following abbreviations are used:—

P. indicates pamphlet issues.

A. A. I. C. = American Association for International Conciliation; address, 407 West 117th Street, Sub-station 84, New York City.

A. S. J. S. I. D. = American Society for the Judicial Settlement of International Disputes; address, Tunstall Smith, The Preston, Baltimore, Md.

W. P. F. = World Peace Foundation; address, 40 Mt. Vernon Street, Boston, Mass.

- Butler, Charles H.** Disarmament on the Great Lakes. P., W. P. F., 1910. Free.
- Chittenden, Gen. Henry M.** War or Peace, a Present Duty and a Future Hope. Chicago: McClurg, 1911. \$1.  
A discussion of war by an army officer.
- Ellis, Havelock.** The Forces Warring against War. P., W. P. F., 1913. Free.
- Foster, John W.** War not Inevitable. P., W. P. F., 1911. Free.
- Hayward, Charles W.** War, Conscription, Armaments and Sanity. P. London: Sherratt & Hughes, 1913. 6d.  
A bitter attack upon Lord Roberts's plea for compulsory military service.
- Hirst, F. W.** The Six Panics and Other Essays. London: Methuen & Company, 1913. 3s. 6d.  
Contains an excellent analysis of six militarist panics in England since 1847.
- How War reaches into your Pocket.** P., W. P. F. Free.  
Analysis of freight rates as affected by war.
- James, William.** The Moral Equivalent of War.\* P., A. A. I. C., 1910. Published also in a volume of essays, "Memories and Studies." Longmans, 1911, \$1.75; and printed in *McClure's Magazine*, August, 1910, vol. 35.
- Jefferson, Charles E.** The Delusion of Militarism. P., A. A. I. C., 1909. Free.
- Jordan, David Starr.** Unseen Empire. Boston: American Unitarian Association. \$1.25.
- . Concerning Sea Power. P., W. P. F., 1912. Free.
- . What shall We Say? Comments on War and Waste. P., W. P. F. 35 cents.
- . The Blood of the Nation. P., W. P. F. 15 cents.
- . The Human Harvest. Boston: American Unitarian Association, 1907. \$1.  
An enlargement of the pamphlet, "The Blood of the Nation."
- . War and Waste. A collection of essays. New York: Doubleday, Page & Company, 1913. \$1.25.
- and **Krehbiel, Edward B.** Syllabus of Lectures on International Conciliation, Lectures II.-XV., XXVIII.-XXXI. P., W. P. F., 1912. 75 cents.
- Kirkpatrick, George R.** War,—What for? Published by the author at West Lafayette, Ohio. 1910. \$1.20.  
A violent attack upon militarism from the Socialist standpoint.
- Krehbiel, Edward B.** Syllabus of Lectures on International Conciliation, in collaboration with Jordan, David Starr, *q. v. passim*.
- . The Sixty-seven Reasons of the Navy League. P., W. P. F., 1913. Free.

**Mahan, Admiral Alfred Thayer.** A defender of military establishments and expenditures. Of this author's voluminous works, the most significant in connection with our topics are the following:—

- . The Influence of Sea Power upon History, 1660–1783. \$4.
- . The Influence of Sea Power upon the French Revolution and Empire. 2 vols. \$6.
- . The Influence of Sea Power in its Relations to the War of 1812. 2 vols. \$8.
- . The Interest of America in Sea Power, Present and Future. \$2.
- . The Interest of America in International Relations. \$1.50.
- . Some Neglected Aspects of War. \$2.
- . The Problem of Asia and its Effect upon International Relations. \$2.
- . Lessons of the War with Spain, and other articles. \$2.

All of these books are published in Boston by Little, Brown & Company.

**Massachusetts Commission on Cost of Living.** The Waste of Militarism. P., W. P. F., 1912. Free.

**Mead, Edwin D., ed.** Shall Great Britain, Germany and the United States now unite for the Limitation of Naval Armament? Contains also excerpts from W. J. Bryan, N. M. Butler and others. P., W. P. F. Free.

**Mr. Bryan's Peace Plan.** P., W. P. F. Free. Address at the conference of the Interparliamentary Union, July 24, 1906, annotated.

**Myers, Denys P.** The Commission of Inquiry: The Wilson-Bryan Peace Plan. P., W. P. F. 1913. Free.

**Novikov, Jacques.** War and its Alleged Benefits. London: Heinemann, 1912. 2s. 6d. American edition published by Holt, New York, 1911. \$1.

**Perris, George Herbert.** A Short History of War and Peace. London: Williams & Norgate, 1911. American edition published by Holt. 50 cents.

A review of historical facts from the earliest times, with many suggestive generalizations.

**Ralston, Jackson H.** Some Supposed Just Causes of War. P., W. P. F., 1911. Free.

**Root, Elihu.** Causes of War. P., A. A. I. C., 1909. Free.

**Stratton, Geo. M.** The Control of the Fighting Instinct. P., A. A. I. C., 1913. Free.

**What does Militarism mean to the Business Man?** P., W. P. F. Free.

**Wilkinson, Henry Spenser.** War and Policy. New York: Dodd, Mead & Company. \$3.50.

———. The Nation's Awakening. Dodd, Mead & Company. \$1.50.  
A defender of the military system.

## Lecture II.

## THE INFLUENCE OF DEMOCRATIC IDEALS IN INTERNATIONAL RELATIONS AND IN THE SETTLEMENT OF INTERNATIONAL CONTROVERSIES.

1. The principles of popular sovereignty and human fraternity. Ideals of public service.
2. Efficient organs of Public Opinion; the sovereign power in Democracy.
3. The federal principle as an ideal of government; its bearing upon questions of war and peace.
4. Attitude of organized Labor and of organized Capital.
5. Influence of Socialism.

**Addams, Jane.** *Newer Ideals of Peace.* New York: Macmillan, 1907. \$1.25.

**Angell, Norman.** *Arms and Industry, a Study of the Foundations of International Polity.* New York: Putnam, 1914.

**Brewer, David J.** *The Mission of the United States in the Cause of Peace.* P., W. P. F., 1911. Free.

**Butler, Nicholas Murray.** *The International Mind.* P., A. A. I. C., 1912. Free.

**Cary, Edward.** *Journalism and International Affairs.* P., A. A. I. C., 1909. Free.

**Coolidge, Archibald Cary.** *The United States as a World Power.* Macmillan, 1908. 50 cents.

**Croly, Herbert.** *The Promise of American Life.* New York: Macmillan, 1911. \$2.

**Cunningham, W.** *An Essay on Western Civilization in its Economic Aspects; Medieval and Modern Times.* Cambridge: University Press, 1900. \$1.10.

**Deming, William C.** *The Opportunity and Duty of the Press in Relation to World Peace.* P., A. A. I. C., 1913. Free.

**Egerton, Hugh E.** *Federations and Unions within the British Empire.* Oxford: Clarendon Press, 1911. 8s. 6d.  
Begins with the New England Confederation of 1643 and ends with the South African Act of Union, 1909.

- Fiske, John.** American Political Ideas. Houghton Mifflin Company. \$1.50.
- Freeman, Edward A.** History of Federal Government in Greece and Italy. Edited by J. B. Bury. 2d edition. Macmillan, 1893. \$3.75.
- Gould, F. J.** Brave Citizens. London: Watts & Company, 1911. 1s.
- Grange, The, and Peace.** Committee Report adopted by the National Grange, 1907. P., W. P. F., 1911. Free.
- Hart, Albert Bushnell.** National Ideals. New York: Harper. \$2.  
In American Nation Series.
- Hervé, G.** My Country, Right or Wrong. Translated by G. Bowman. London: Fifeild, 1910. 3s. 6d.
- Jordan, David Starr.** America's Conquest of Europe. Boston: American Unitarian Association, 1913. 60 cents.
- Kelly, Myra.** The American Public School as a Factor in International Conciliation. P., A. A. I. C., 1909. Free.
- Kirkpatrick, George R.** War,—What for? Cf. Lecture I.
- Kraus, Herbert.** Die Monroedoktrin, in ihren Beziehungen zur Amerikanischen Diplomatie und zum Völkerrecht. Berlin: J. Guttentag. Unbound, gm.; bound, rom.
- Latané, J. H.** America a World Power. New York: Harper. \$2.  
In American Nation Series, edited by A. B. Hart.
- Low, A. Maurice.** The American People. Vol. I, The Planting of a Nation; Vol. II, The Harvesting of a Nation. Boston: Houghton Mifflin Company. \$2.25.
- Mead, Edwin D.** Washington, Jefferson and Franklin on War. P., W. P. F., 1913. Free.
- . Heroes of Peace. P., W. P. F., 1912. Free.
- Mead, Lucia Ames.** Patriotism and the New Internationalism. P., W. P. F. 20 cents.
- Moore, John Bassett.** American Diplomacy: its Spirit and Achievements. New York: Harper, 1905. \$2.
- . Four Phases of American Development: Federalism, Democracy, Imperialism, Expansion. Baltimore: Johns Hopkins University Press, 1912. \$2.
- Moritzen, Julius.** The Peace Movement of America. New York: Putnam, 1912. \$3.  
A wide-ranging account of forces and personalities.
- Neill, Charles P.** Interest of the Wage-earner in the Peace Movement. P., A. A. I. C., 1913. Free.
- Novikov, J.** La Critique du Darwinisme Social. Paris: Félix Alcan, 1910. 7 francs 50.

- Perris, George Herbert.** *Pax Britannica, a Study of the History of British Pacification.* New York: Macmillan, 1913. 5s.
- Reinsch, Paul S.** *American Love of Peace and European Skepticism.* P., A. A. I. C., 1913. Free.
- Ross, Edward A.** *Social Control. A Survey of the Foundation of Order.* New York: Macmillan. \$1.25.  
In Citizen's Library.
- Schäffle, A.** *Impossibility of Social Democracy.* New York: Scribner. \$1.25.
- . *Quintessence of Socialism.* New York: Scribner. \$1.  
Keenly critical discussions of Socialist doctrines.
- Smith, J. A.** *The Spirit of American Government.* New York: Macmillan. \$1.25.  
In Citizen's Library.
- Snow, Alpheus H.** *Development of the American Doctrine of the Jurisdiction of Courts over States.* P., A. S. J. S. I. D., 1911. Free.
- Sumner, Charles.** *Addresses on War.* W. P. F. 60 cents.
- Trueblood, Benjamin F.** *The Federation of the World.* 3d edition. Boston: Houghton Mifflin Company, 1908. \$1.
- Walling, William English.** *Socialism as it is; a survey of the world-wide revolutionary movement.* New York: Macmillan. \$2.  
A book by one of the most thoughtful Socialist leaders.
- Weyl, Walter E.** *The New Democracy.* New York: Macmillan, 1912. \$2.  
Written from the Progressive standpoint.
- Wilson, Woodrow.** *The New Freedom.* New York: Doubleday, Page & Company, 1913. \$1.
- Wylie, F. J.** *Cecil Rhodes and his Scholars as Factors in International Conciliation.* P., A. A. I. C., 1909. Free.

### Lecture III.

#### INTERNATIONAL INFLUENCE OF RELIGION, IN THEORY AND IN PRACTICE.

1. Principles of ethics for individuals and for nations.
2. Progress from physical to spiritual force.
3. "Am I my brother's keeper?" What principles caused the "Wars of Religion"?

4. Duty of Christian nations with reference to the injunctions in Matt. v. 9 and Luke v. 27.

5. The significance and influence of Christian missions.

**Barr, James.** Christianity and War. London: Simpkin, Marshall, 1903. 1s. 6d.

**Capen, Samuel B.** Foreign Missions and World Peace. P., W. P. F., 1912. Free.

**Channing, William E.** Discourses on War. Boston: W. P. F. 60 cents.

**Churches and the Peace Movement, The.** P., W. P. F. Free.

**Dodge, David L.** War Inconsistent with the Religion of Jesus Christ. P., W. P. F. 60 cents.

**Essays towards Peace.** By John M. Robertson, Edward Westermarck, Norman Angell and S. H. Swinny, with an introduction by Hypatia Bradlaugh Bonner. Published by the Rationalist Peace Society. London: Watts & Company. 9d.

**Grane, Canon William Leighton.** The Passing of War. New York: Macmillan, 1912. \$2.50.

**Kellogg, Vernon Lyman.** Beyond War. A chapter in the natural history of man. New York: Holt, 1912. \$1.

**Lawrence, T. J.** The Church's Duty in furthering International Peace. London: 167 St. Stephen's House, Westminster, S.W., National Peace Council. 1d.

**Mead, Edwin D.** Heroes of Peace. P., W. P. F., 1912. Free.

**Mott, John R.** Religious Forces in the Universities of the World. Report to the Conference of the Federation of Christian Students, 1913. New York: Y. M. C. A. Building, 124 E. 28th Street.

**Myers, Philip Van Ness.** History as Past Ethics. An Introduction to the History of Morals. Boston: Ginn & Company, 1913. \$1.50.

**Rauschenbusch, Walter.** Christianity and the Social Crisis. New York: Macmillan. \$1.50.

———. Christianizing the Social Order. New York: Macmillan. \$1.50.

**Simmons, Henry M.** The Cosmic Roots of Love. P., W. P. F., 1912. Free.

**Stratton, George M.** The Double Standard in regard to Fighting. P., A. A. I. C. Free.

**Sumner, William G.** War and Other Essays. New Haven: Yale University Press, 1911. \$2.25.

**Walsh, Walter.** The Moral Damage of War. W. P. F. 90 cents.  
A searching analysis with illustrations derived from the war between England and the Boers.

**Warner, Horace Edward.** The Ethics of Force. W. P. F. 55 cents.



## Lecture IV.

## HISTORICAL AND CRITICAL DISCUSSION OF ARBITRATION, THE FACT AND THE FORMS.

1. Arbitration in its broadest sense is a plan for settling a dispute by obtaining and abiding by the judgment of a selected person or persons instead of taking the dispute to the national courts or to the battlefield.

2. Historical review of arbitration.

a. Influence of industrial and commercial arbitration, recognized in the Roman law, Pandects, Bk. IV, sec. 8, in the medieval Law Merchant, in the common law of Great Britain, and in voluntary and compulsory arbitration laws of modern times.

b. Public arbitration, a usage familiar among the cities of ancient Greece and in the Roman republic, in the Middle Ages usually a function of high ecclesiastical dignitaries, and of such monarchs as Louis IX of France.

17th century arbitration agreements were made between England, France, Holland and other powers; *cf.* Darby, *International Tribunals*, pp. 240-270.

18th century, 6 arbitrations; 19th century, 471 arbitrations. Since 1900 about 150 arbitrations; *cf.* Myers, *Revised List of Arbitration Treaties*, notes.

3. Arbitrations [in which the United States has been a party. Disputes about boundary lines. The Geneva arbitration.

4. Should considerations of "national honor and vital interests" prevent recourse to arbitration?

5. Arbitrations under:—

1. Mutual agreements.

2. Clauses in commercial and political treaties; arbitration treaties.

3. The Hague conventions, by the Hague Tribunal, in operation since 1902.

4. Constitutional requirements, Brazil, Venezuela, San Domingo, Portugal.

Baty, T. *International Law*. New York: Longmans, 1909. \$2.25.

A misleading title. This is really a study of the progress of international relations from conditions of Independence toward conditions of Interdependence.

- Bourne, Randolph S.** Arbitration and International Politics. P., A. A. I. C., 1913. Free.
- Darby, W. Evans.** International Tribunals. 4th edition. London: J. M. Dent & Company, 1904. \$3.50.  
An historical review with reprints of important documents.
- Fitzpatrick, Rt. Hon. Sir Charles.** International Arbitration. P., A. A. I. C., 1911. Free.
- Gibbons, James Cardinal.** Arbitration between Great Britain and the United States. P., A. A. I. C., 1911. Free.
- Hay, John, and Root, Elihu.** Instructions to the American Delegates to the Hague Conferences, 1899 and 1907. P., W. P. F., 1912. Free.
- Hyde, Charles Cheney.** Legal Problems Capable of Settlement by Arbitration. P., A. S. J. S. I. D., 1910. Free.
- Jordan, David Starr, and Krehbiel, Edward B.** Syllabus of Lectures on International Conciliation. P., W. P. F., 1912. 75 cents.  
Especially Lectures XXI-XXIII.
- La Fontaine, Henri.** Pasicrisie Internationale. Berne: Staempfli & Company, 1902. 40 francs.  
A documentary history of international arbitrations since Jay's treaty, 1794.
- Lammasch, Heinrich, and Ralston, Jackson H.** The Anglo-American Arbitration Treaties, and Forces making for International Conciliation and Peace. P., A. A. I. C., 1911. Free.
- Mahan, Admiral A. T.** Armaments and Arbitration, or the Place of Force in the International Relations of States. New York: Harper, 1912. \$1.40.  
A study of arbitration from the militarist point of view.
- Mead, Edwin D.** The International Duty of the United States and Great Britain. P., W. P. F., 1911. Free.
- Moore, John Bassett.** History and Digest of the International Arbitrations to which the United States has been a Party. Washington: Government Printing Office, 1898. Out of print. 6 vols. 1-2, History; 3-4, Digest; 5, Domestic Commissions, Notes and Treaties; 6, Maps.  
A new edition is being prepared, and will be published by the Carnegie Endowment. The new edition will include all arbitrations between all nations.
- Morris, Robert C.** International Arbitration and Procedure. New Haven: Yale University Press, 1911. \$1.45.  
From the time of Herodotus to the Hague Conferences.
- Myers, Denys Peter.** Revised List of Arbitration Treaties. P., W. P. F., 1912. Free.
- Oppenheim, Lassa.** The Panama Canal Conflict between Great Britain and the United States of America. 2d edition. Cambridge: University Press. 75 cents.
- Phillipson, Coleman.** The International Law and Custom of Ancient Greece and Rome. 2 vols. London: Macmillan, 1911. \$6.50.

- Pillsbury, Albert E.** *The Arbitration Treaties.* P., W. P. F. Free. An examination of the majority report of the Senate Committee on Foreign Relations.
- Pius X, His Holiness the Pope.** *Letters to the Apostolic Delegate to the United States of America.* P., A. A. I. C., 1911. Free.
- Raeder, A.** *L'Arbitrage international chez les Hellènes.* Kristiania: Nobel Institut, 1912.  
The best work on this subject yet written.
- Ralston, Jackson H.** *International Arbitral Law and Procedure.* W. P. F., 1910. \$2.20.  
An exhaustive digest of arbitral procedure. See also under Lammasch and Ralston, "The Anglo-American Arbitration Treaties."
- Report of the Committee on Foreign Relations,** together with the Views of the Minority upon the General Arbitration Treaties with Great Britain and France, signed on August 3, 1911. With Appendices. Sen. Doc. No. 98, 62d Cong., 1st Session. Washington, 1911.
- Root, Elihu.** *Panama Canal Tolls: The Obligations of the United States.* P., W. P. F., 1913. Free.  
See also under Hay, John.
- The General Arbitration Treaties of 1911.** P., A. A. I. C., 1911. Free.
- Tod, Marcus Niebuhr.** *International Arbitration amongst the Greeks.* Oxford: Clarendon Press, 1913. 8s. 6d.  
A learned essay with a review of the epigraphical evidence.

## Lecture V.

### EXISTING INTERNATIONAL ORGANIZATIONS AND ASSOCIATIONS. THE WORK OF THE HAGUE CONFERENCES AND COURT.

1. Modern business is international, ignores political boundary lines. The "Unseen Empire" of Finance.
2. Scope of the work of the Central Office of International Associations at Brussels.
  - a. International organizations not connected with any governmental activities. Among about 450 such associations there are:—
    - 41 international associations concerning labor, chiefly organizations of artisans;
    - 93 international associations of persons interested in the applications of scientific knowledge, as in medicine

and hygiene, chemistry, physics, engineering and agriculture;

110 international associations of persons interested in scientific research and education;

77 international associations of persons interested in philosophy, morals, religion and law.

b. Public international associations in which governments are represented, about 50 in number.

Hague Conferences; Pan-American and Central American Congresses; international conferences or committees for conservation, police administration, protection and promotion of commercial and business interests (as the International Institute of Agriculture at Rome, founded in 1905, includes representatives of 48 countries); for scientific, educational and judicial purposes, and for the improvement of conditions of transportation and communication (as the Universal Postal Union).

3. "The Concert of Europe" as an international influence. Is there such a thing as Pan-Americanism? The Pan-American Union. The Central American Congresses (yearly since 1909). The Central American Court of Justice at San José, Costa Rica. The Inter-parliamentary Union.

4. The First Hague Conference, May 18, 1899. 26 states represented. Conventions:—

1. Concerning the pacific settlement of international disputes.

a. Mediation. Cf. President Roosevelt and the Portsmouth Treaty between Russia and Japan.

b. International Commissions of Inquiry. Cf. the Dogger Bank affair and the Bryan peace plan.

c. The Permanent Tribunal of Arbitration, organized 1901. First case between Mexico and the United States, 1902. A dozen cases have been tried and decided.

2. Concerning the laws and customs of war on land. A code of Articles of War, based on the Lieber Code, restricting warfare in the interests of humanity and health.

3. Concerning the adaptation to maritime warfare of the principles of the Geneva Convention of August 22, 1864 (the Red Cross rules).

The Conference also adopted three declarations, which prohibited the throwing of projectiles from balloons or other analogous means

of transportation (adopted for a term of five years); the use of projectiles having as their sole object the diffusion of asphyxiating or deleterious gases; and the use of bullets which expand or flatten easily in the human body.

5. The Second Hague Conference, 1907. 44 states represented. Conventions:—

1. Concerning the pacific settlement of international disputes. Rules of international procedure codified.
2. Concerning the limitation of the use of force for the recovery of contractual debts. Adoption of the Porter-Drago doctrine.
- 3, 4. Concerning rules of war. There must be a declaration of war before hostilities begin; areas of warfare defined and restricted.
- 5, 13. Rights and duties of neutral powers and persons defined so as to increase the protection of neutrals.
- 6-11. Rules for maritime warfare; unfortified places must not be bombarded; inviolability of neutral property favored, but subject deferred for the sake of England.
12. An International Prize Court agreed upon (*cf.* Declaration of London in 1908-1909).

The Conference also adopted a declaration prohibiting the launching of explosives from balloons and air-craft "until the end of the next conference."

The Conference also adopted a Draft Convention containing the constitution of a Court of Arbitral Justice, and called the attention of the powers to the advisability of adopting it.

The Final Act of the Conference recommends the assembly of a third Peace Conference and the preparation of a program for it.

35 of the 44 nations voted for a general treaty of obligatory arbitration.

6. Agenda for the Third Hague Conference. The question of expenditures for armaments. Significance of the Peace Palace at The Hague, opened August 29, 1913.

**Annuaire du Mouvement Pacifiste.** Published at Berne, Switzerland, by the International Peace Bureau.

**Annuaire de la Vie Internationale.** Published at Brussels, Belgium, by the Office Central des Institutions Internationales (1910-11). 40 francs.

**Choate, Joseph H.** The Two Hague Conferences. Princeton: University Press, 1913. \$1.

- Foster, John W.** *Arbitration and the Hague Court.* Boston: Houghton Mifflin Company, 1904. \$1.  
Discusses the events which led to the First Conference.
- Hay, John, and Root, Elihu.** *Instructions to the American Delegates to the Hague Conferences, 1899 and 1907.* P., W. P. F. Free.
- Heath, Carl.** *The Peace Year Book.* (Issued since 1910.) London: The National Peace Council, 167 St. Stephen's House, Westminster, S.W. 1s.
- . *The Work of the Hague Tribunal.* P. London: National Peace Council. 1d.
- . *Cost of the War System to the British People for Fifty Years.* P. London: National Peace Council. 1d.
- Holls, Frederick W.** *The Peace Conference at The Hague and its Bearings on International Law and Policy.* New York: Macmillan. \$2.25.
- Hull, William L.** *The Two Hague Conferences.* W. P. F. \$1.65.
- . *The New Peace Movement.* W. P. F. \$1.
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## Lecture VI.

### HOW CAN A WORLD-ORGANIZATION SECURE AND INSURE PEACE WITH JUSTICE?

1. Problems of racial differences and antagonisms.
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**Elliott, G. F. S.** *Chile.*

**Enock, C. R.** *Mexico.*

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# MR. BRYAN'S PEACE PLAN.

ADDRESS BY HON. WILLIAM J. BRYAN AT THE CONFERENCE OF THE INTERPARLIAMENTARY UNION AT LONDON, JULY 24, 1906.

NOTE.—Within barely three months the "Bryan peace plan" has been accepted by more than half of the world, so far as actual standing in the family of nations goes. Almost half of the sovereign States of the world, including the so-called Powers almost without exception, have adhered in principle to the proposition. No proposal intended to fortify the desires of the world for the adjustment of international friction without recourse to arms had previously made so rapid a progress toward becoming a fundamental fact in the relations between nations. In three months 18 States out of the 44 represented at the Second Hague Conference accepted the proposal in principle. Moreover, the accepting States have been the more important ones.

In view of this remarkable record concerning Mr. Bryan's proposal, its earlier history is well worth recalling. The plan of the American Secretary of State is for the increased employment of the Commission of Inquiry,—to determine facts rather than to render judgments. As an idea capable of development in international affairs, the commission came first to public notice in the proposition of Russia, written by the late Professor de Martens, to the First Hague Conference. It was the keystone of the original Russian proposition, but was assimilated into the Convention for the Pacific Settlement of International Disputes, where less stress was laid upon it than upon the arbitral features of that convention. The Dogger Bank affair in 1905 was investigated by the conventional commission with success and brought its machinery squarely before the public eye. The next year Mr. Bryan became the protagonist of the idea which, as Secretary of State, he is now carrying to a successful realization.

At the 14th Conference of the Interparliamentary Union, at London, July 23-25, 1906, Baron von Plener of Austria reported on the draft of a general arbitration treaty submitted at the previous Conference, which was held at Brussels in 1905, by Congressman Richard Bartholdt. This American project appeared in the revision reported at London as a text for a model treaty, which would be acceptable to all States and avoid the laborious negotiation of bipartite treaties. The first two articles except from arbitration differences affecting "independence or vital interests, or the sovereign authority of the respective countries, or the interests of third powers," leaving the decision as to the exceptions with the parties. The third article was important, providing for the arbitration, without possibility of exception, of:—

1. Differences respecting the interpretation and application of agreements concluded or to be concluded and enumerated below (covering 16 general treaty subjects relating to commercial matters, private international law, etc.);
2. Regulations on the fixing of frontiers;
3. Questions relating to claims for damages when the principle of indemnity is acknowledged by the parties;
4. Questions relating to debts.

Baron von Plener's report was read and discussed at the first session of the Conference, on July 23, 1906. M. de Krabbe, of Denmark, proposed an amendment recommending the Plener draft of treaty to the Second Hague Conference, which was adopted. Mr. Bryan then proposed an amendment in the following terms, which embody the idea which he is now carrying out as Secretary of State of the United States:—

If a disagreement should occur between the contracting parties which, in the terms of the Arbitration Treaty, need not be submitted to arbitration, they shall, before declaring war or engaging in any hostilities, submit the question in controversy to The Hague Court or some other impartial international tribunal for investigation and report, each party reserving the right to act independently afterward.

The amendment, as constituting new matter, was referred, on motion of Baron von Plener, to the Council for a decision before action of the Conference upon it. On the next day, July 24, Baron von Plener "announced that the Council, which had met that morning, had evolved out of his proposals for a model Treaty and Mr. Bryan's amendment, submitted on the previous day, the following resolution, which he then submitted for the consideration and, he hoped, the acceptance of the Conference:—

If a difference should arise between the contracting parties which, by the terms of the Convention, should not be submitted to arbitration, the parties shall not have recourse to any measure of hostility of whatever nature before having jointly or separately demanded, according to the circumstances of the case, either the constitution of an International Commission of Inquiry or the mediation of one or more friendly Powers. This requisition shall be made, in case of need, conformably to Article VIII. of The Hague Convention for the pacific settlement of international disputes.

This resolution was unanimously adopted after Mr. Bryan had addressed the Conference on the subject, accepting the revision of the Council and continuing as follows (Official Report, 124-126):—

I thank this body for the opportunity to say a word in defense of my part of the resolution. I cannot say that it is a new idea, for since it was presented yesterday I have learned that the same idea in substance was presented last year at Brussels by Mr. Bartholdt, of my own country, who has been so conspicuous in his efforts to promote peace, and I am very glad that I can follow in his footsteps in the urging of this amendment. I may add also that it is in line with the suggestion made by the Honorable Prime Minister of Great Britain, Sir Henry Campbell-Bannerman, in that memorable and epoch-making speech of yesterday, in that speech which contained several sentences, any one of which would have justified the assembling of this Interparliamentary Union, any one of which would have compensated us all for coming here.

In that splendid speech he expressed the hope that the scope of arbitration treaties may be enlarged. He said: If a disagreement should occur between the contracting parties which, in the terms of the Arbitration Treaty, need not be submitted to arbitration, they shall, before declaring war or engaging in any hostilities whatever, submit the question or questions in controversy to The Hague Court, or some other impartial tribunal, for investigation and report, each party reserving the right to act independently afterward. This amendment is in harmony with this suggestion. The resolution is in the form of a postscript to the Treaty, but, like the postscripts of some letters, it contains a very vital subject; in fact, I am not sure but the postscript in this case is as important as the letter itself, for it deals with those questions which have defied arbitration, certain questions affecting the honor or integrity of a nation considered outside the jurisdiction of a court of arbitration,—and these are the questions which have given trouble. Passion is not often aroused by questions that do not affect a nation's integrity or honor, but, for fear these questions may arise, arbitration is not always employed where it might be. The first advantage, then, of this resolution is that it secures an investigation of the facts; and if you can but

separate the facts from the question of honor, the chances are a hundred to one that you can settle both the fact and question of honor without war. There is, therefore, a great advantage in an investigation that brings out the facts, for disputed facts between nations, as between friends, are the cause of most disagreements.

The second advantage of this investigation is that it gives time for calm consideration. That has already been well presented by the gentleman who has preceded me, Baron von Plener. I need not say to you that a man excited is a very different animal from a man calm, and that questions ought to be settled, not by passion, but by deliberation. If this resolution would do nothing else but give time for reflection and deliberation, there would be sufficient reason for its adoption. If we can but stay the hand of war until conscience can assert itself, war will be made more remote. When men are mad, they swagger around and tell what they can do; when they are calm, they consider what they ought to do.

The third advantage of this investigation is that it gives opportunity to mobilize public opinion for the compelling of a peaceful settlement, and that is an advantage not to be overlooked. Public opinion is coming to be more and more a power in the world. One of the greatest statesmen my country has produced, Thomas Jefferson—and, if it would not offend, I would say I believe him to be the greatest statesman the world has produced—said that if he had to choose between a government without newspapers and newspapers without a government, he would rather risk the newspapers without a government. You may call it an extravagant statement, and yet it presents an idea, and that idea is that public opinion is a controlling force. I am glad that the time is coming when public opinion is to be more and more powerful; glad that the time is coming when the moral sentiment of one nation will influence the action of other nations; glad that the time is coming when the world will realize that a war between two nations affects others than the two nations involved; glad that the time is coming when the world will insist that nations settle their differences by some peaceful means. If time is given for marshaling the force of public opinion, peace will be promoted. This resolution is presented, therefore, for the reasons that it gives an opportunity to investigate the facts and to separate them from the question of honor; that it gives time for the calming of passion; and that it gives a time for the formation of a controlling public sentiment.

I will not disguise the fact that I consider this resolution a long step in the direction of peace, nor will I disguise the fact that I am here because I want this Interparliamentary Union to take just as long a step as possible in the direction of universal peace. We meet in a famous hall [the Royal Gallery of the House of Lords], and looking down upon us from these walls are pictures that illustrate not only the

glory that is to be won in war, but the horrors that follow war. There is a picture of one of the great figures in English history [pointing to the fresco, by Maclise, of the death of Nelson]. Lord Nelson is represented as dying, and around him are the mangled forms of others. I understand that war brings out certain virtues. I am aware that it gives opportunity for the display of great patriotism. I am aware that the example of men who give their lives for their country is inspiring. But I venture to say there is as much inspiration in a noble life as there is in an heroic death, and I trust that one of the results of this Interparliamentary Union will be to emphasize the doctrine that a life devoted to the public, overflowing, like a spring, with good, exerts an influence upon the human race and upon the destiny of the world as great as any death in war. And if you will permit me to mention one whose career I watched with interest and whose name I revere, I will say that, in my humble judgment, the sixty-four years of spotless public service of William Ewart Gladstone will, in years to come, be regarded as rich an ornament to the history of this nation as the life of any man who poured out his blood upon the battlefield.

All movements in the interest of peace have at the back of them the idea of brotherhood. If peace is to come in this world, it will come because people more and more clearly recognize the indissoluble tie that binds each human being to every other. If we are to build permanent peace, it must be on the foundation of the brotherhood of men. A poet has described how, in the Civil War that divided our country into two hostile camps a generation ago, in one battle a soldier in one line thrust his bayonet through a soldier in the opposing line, and how, when he stopped to draw it out, he recognized in the face of the fallen one the face of his brother. And then the poet describes the feeling of horror that overwhelmed the survivor when he realized that he had taken the life of one who was the child of the same parents and the companion of his boyhood. It was a pathetic story; but is it too much to hope that, as years go by, we shall begin to understand that the whole race is but a larger family? It is not too much to hope that, as years go by, human sympathy will expand until this feeling of unity will not be confined to the members of a family or to the members of a clan or of a community or State, but shall be world-wide. It is not too much to hope that we, in this assembly, possibly by this resolution, may hasten the day when we shall feel appalled at the thought of the taking of any human life, that we shall strive to raise all questions to a level where the settlement will be by reason and not by force.

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WORLD PEACE FOUNDATION, BOSTON.

[JULY, 1913.]

# THE AMERICAN PEACE PARTY AND ITS PRESENT AIMS AND DUTIES.

BY EDWIN D. MEAD.

President Wilson and Secretary Bryan are pronounced peace men, and it is believed that this will be an advanced peace Administration. The Democratic majority in Congress has for two years taken strong stand against such multiplication of battleships as had for some years been going on. Impressive appeals have just been made in conspicuous European places for American initiative in a concerted effort for the limitation of armaments; and the noteworthy utterance by the First Lord of the British Admiralty condemning the waste and folly of the present wild naval rivalries has commanded world-wide attention. The nations are now fixing their thought on the approaching third Hague Conference and its program. The fourth American National Peace Congress is to meet in St. Louis the first week in May, and promises to be the most important peace demonstration yet witnessed in this country. President Wilson is its honorary president, and ex-President Taft and Senator Root its honorary vice-presidents, Secretary Bryan going to speak for the government at the opening. The following week we welcome the large delegation from the British committee on the celebration of the centennial of peace between Great Britain and the United States. Such a critical and pregnant juncture makes timely and should make useful a brief statement of the present program and purposes of our peace party, with special reference to the co-operation for which it hopes from the Administration.

The American friends of peace feel that the years immediately before us, covering as they do the period of the third Hague Conference and the celebration of the centennial of peace between the United States and Great Britain, present to our people opportunities of the greatest moment, and command on the part of the peace organizations the broadest and most advanced action. It is a source of peculiar satisfaction at this important and hopeful juncture that the President and the Secretary of State are profoundly devoted to the peace cause; and we are confident that there is no party with

which the Administration will wish to co-operate in higher measure than with the great body of our people devoted to the promotion of international justice and friendship.

There is nothing else which at this time so deeply concerns the peace party of the United States and of the world as such timely and thorough preparation for the approaching third Hague Conference as shall make that Conference a yet more signal benefaction for the family of nations than the two preceding Conferences. It is understood that the Conference will meet in 1915. The second Conference, as formally recognized in the preamble to its Final Act, and as we should all proudly and gratefully remember, was "proposed in the first instance by the President of the United States of America." Its final recommendation was for a third Conference within a period analogous to that between the first and second Conferences, the date to be set by joint agreement among the Powers; and, further, that about two years before the probable date of the meeting a preparatory committee be charged by the governments with the task of collecting proposals to be submitted, ascertaining what subjects are ripe for consideration, and preparing a program to be decided upon in sufficient time for careful examination by the countries interested. This committee is also to propose a system of organization and procedure for the Conference itself.

This recommendation was adopted as the result of the efforts of our American delegates, in pursuance of the original instructions of Secretary Root that they should "favor the adoption of a resolution by the Conference providing for the holding of further Conferences within fixed periods and arranging the machinery by which such Conferences may be called, and the terms of the program may be arranged, without awaiting any new and specific initiative on the part of the Powers or any one of them." The fact that this significant provision looking toward the regular periodical sessions of the Hague Conferences and their freer organization and procedure was due to American initiative places us under peculiar obligations to see that its purpose is fully realized.

In the House of Commons on January 16, 1913, in reply to a question by Sir William Byles, Sir Edward Grey said: "The second Peace Conference in 1907 recommended that the preparation of a program for the third Conference should be entrusted to an international committee, but no machinery was suggested for appointing and calling such a committee. So far as I am aware, no measures have as yet been taken to give effect to the recommendation." Our English peace friends, feeling the immense importance of preparation for the coming Conference, have appointed a committee to act upon it. The chairman of the committee is Lord Loreburn, the former Lord



Chancellor, and among the members are Lord Avebury, Lord Courtney, Sir John Macdonnell, Lord Shaw of Dunfermline, Lady Byles, Mr. Noel Buxton, Mr. Francis W. Hirst, Mr. George H. Perris, and Dr. T. J. Lawrence, the well-known writer on international law. This committee, whose membership represents the various English peace activities, is organized on an independent basis, and will add to itself various leading jurists, economists, business men and others. It is most important that the American peace party should take similar action; and it is more important that our government should deal broadly and promptly with the subject.

Some time last year President Taft appointed a committee to consider the matter of the program for the third Conference and the proposals which should be submitted by the United States to the international preparatory committee when created. This American committee consists of J. Reuben Clark, Jr., solicitor of the State Department, Brigadier-General Enos H. Crowder, and Admiral Richard Wainwright. I do not know what this committee has done, nor whether anything has been done by our government to bring about co-operation between itself and other governments in the creation of such an international preparatory committee as the recommendation of the Hague Conference clearly contemplated. Early action by our government upon this point should be urged; and the opinion has been widely expressed that the committee appointed by President Taft in no adequate way meets the needs of the situation. While there seems to be reason why technical military and naval men should be attached to the delegations of the different Powers at the Hague Conferences themselves, no reason appears why such men should be members of this committee charged with the consideration of the program. They certainly should not dominate it; and either this committee should be superseded or recognized international statesmen should be added to it as its leading members, to make it a committee worthy of its high functions.

The second Hague Conference agreed upon the establishment of a permanent International Court of Arbitral Justice. The proposition for the establishment of this Court was the proposition of our American delegates, developing the instructions of Secretary Root, and we are peculiarly concerned in its realization, which has hitherto failed on account of the difficulties as to the methods of appointing judges. At the Mohonk Conference of 1910 the statement was authoritatively made that the circular note of Secretary Knox suggesting a plan for the establishment of a court had met with such favorable responses from the leading nations as warranted the belief that this permanent Court of Arbitral Justice, composed of judges representing the various judicial systems of the world, would be established in the

immediate future. The hope thus expressed has not yet been fulfilled; and the International Prize Court, also decreed at the second Hague Conference, has not yet been established, although the provisions to govern its procedure were carefully worked out at the subsequent London Conference, in which our own government participated. Earnest efforts should certainly be made by the present Administration to secure the proper establishment of both these courts, which will go far to supply the world with a real international judiciary.

The subject of a general international treaty of obligatory arbitration can be taken up at the coming Hague Conference with far greater promise of success than in 1907, and the scope of such a treaty can now be made much broader than was broached at that time. The subject of the immunity of private property of belligerents at sea can also be taken up far more hopefully at the next Conference than at the last. The existing situation is one of the chief grounds of the present inordinate naval armaments, and especially one of the chief grounds for Germany's jealousy of Great Britain, which is one of the most dangerous features of the present international situation. The policy of the United States in this matter has happily always been that which we believe is destined to prevail, and in effort in its behalf Germany now unites with us. The position of Great Britain remains the chief hindrance; and there, happily, the party in behalf of immunity is a growing party, under the leadership of men like Lord Loreburn. The American peace party believes in the most earnest efforts on the part of our government and people to secure such British co-operation as shall insure the most favorable action upon this matter at the next Hague Conference. It also urges earnest effort to prevent aerial warfare. A cardinal feature of the struggle against slavery in the United States was for the restriction of its area. As in the last century men worked for free soil in the war against slavery, let us work resolutely for free air in the war against war. Let no new theatre of war be added to those now so complex and so appalling.

It should never be forgotten that the chief occasion of the calling of the first Hague Conference was the terrible and growing burden of the armaments of the nations. The financial charges of these, it was said in the Czar's rescript, "strike at the public prosperity at its very source." The strength and resources of the nations were diverted from their natural application and unproductively consumed, progress was paralyzed or checked, and the massing of war material seemed inevitably leading to a cataclysm whose horrors made every thinking man shudder. This was in 1898; and the situation, then so portentous, has grown steadily and startlingly more portentous.

The cost of Russia's army and navy in 1911 was more than twice as great as the cost in 1891; Germany's and Great Britain's records are essentially the same; and the similar annual burden in the United States rose during the same twenty years from \$67,000,000 to \$283,000,000, with large additional increases in the years since. These monstrous armaments have become to-day vastly more a menace than a defense; the rivalry has become a crime against humanity; and it accuses the statesmanship of the world, if it is not checked. Surely, the sum total of the world's enlightenment and conscience is sufficient to cope with this awful problem, if rightly summoned to action. Even Mr. Roosevelt said at Christiania three years ago: "Granted sincerity of purpose, the great powers of the world should find no insurmountable difficulty in reaching an agreement which would put an end to the present costly and growing extravagance of expenditure on naval armaments." The clear prescription of logic is that the decrease in the machinery for the settlement of international disputes by force should keep pace with the steady and now so great increase of the machinery for their settlement by reason; yet we are witnessing precisely the reverse. We ask our government for the strongest possible action in behalf of the efficient consideration of this appalling situation by the next Hague Conference, and we are in the more auspicious position for this effort because we have shown the beginning of our own return to reason by limiting our appropriations in each of the past two years to one new battleship instead of two, as before. The declarations of Mr. Bryan upon this subject in his noble address at the Mohonk Conference in 1910, repeated essentially in his recent speech at Raleigh, have inspired all friends of peace with added confidence in the Administration whose foreign affairs he will so largely direct.

In June, 1910, both Houses of Congress adopted the following resolution:—

*"Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, that a commission of five members be appointed by the President of the United States to consider the expediency of utilizing existing international agencies for the purpose of limiting the armaments of the nations of the world by international agreement, and of constituting the combined navies of the world an international force for the preservation of universal peace, and to consider and report upon any other means to diminish the expenditures of government for military purposes and to lessen the probabilities of war."*

This instruction by Congress has never been acted upon by the President in the manner contemplated by the resolution. It is expressly in line with the repeated recommendations of President Eliot

and other leading thinkers of an international police force, and is a most hopeful proposal. The whole matter of the limitation of armaments with which it deals is of such moment that, in addition to the creation of a proper commission upon the Hague program, this authorized commission of five, the ablest men possible, should be appointed at the earliest moment to consider the whole question so thoroughly that the recommendations which it may be able to make before the assembling of the third Hague Conference may exercise a powerful and perhaps determining influence there. In this matter the United States occupies a peculiarly propitious and powerful position, and that position should be utilized solemnly and resolutely at this critical juncture for the relief and advantage of the suffering family of nations.

In this latest time the growing portentousness of the armaments menace has been drastically pressed upon the attention of the world, and we have been forcibly reminded of our own duty and opportunity in connection with it. France and Germany have both proposed enormous increases of their already enormous military establishments, regardless of the protests of their burdened workingmen. The First Lord of the British Admiralty has in Parliament solemnly denounced the present naval rivalry as the wildest folly, and appealed to the nations, specifically naming Germany, to join Great Britain in calling a halt; and the leading German liberal newspaper, in articles attracting world-wide notice, has called upon the United States to take the strong initiative to this end. The International Peace Bureau at Berne has issued a solemn appeal to all governments and peoples to unite in dealing in some decisive way with the awful and growing menace; and there was never such an opportunity as at this hour for this republic, safest and strongest of nations, to make itself felt with power for the relief of mankind. Let us take the great step toward lifting from the toilers of the world this crushing burden, toward relegating to futility the vested interests which fatten upon armaments and war material, and the money-lenders in neutral nations who sustain wars by war-loans. The startling exposures of the manufacturers of armaments in Germany at this very time furnish new evidence that "the God of War is now a man of business," who pulls the strings for the war-scares and naval rivalries, for which the burdened toilers of the world pay the awful cost. What is going on in Germany is going on in Great Britain, in France, in Russia, and in the United States. These are the things at which the American peace party strikes, and asks its government to strike for humanity's sake.

In rejecting the Olney-Pauncefote arbitration treaty with Great Britain in 1897, and in mutilating President Taft's arbitration treaties last year, the Senate clearly thwarted the desire and purpose of the

overwhelming majority of the American people, and seriously prejudiced the international influence of the republic. At the earliest possible day renewed effort should be made for the conclusion between this country and all countries willing to reciprocate arbitration treaties of the broadest scope, pledging reference to the Hague Court of all disputes not settled by diplomacy. Nothing else in the approaching centennial of peace between the United States and Great Britain could be so beneficent, nothing so fitting, as the celebration then not only of such an unlimited arbitration treaty, duly ratified, with Great Britain, but of similar treaties with the other great powers, so many of which are ready to conclude them with us. Thus would this great peace commemoration become the festival of universal arbitration and the opening of a new epoch for mankind. It was the hope that the founding of our republic would itself open such an era of international peace and friendship that inspired Washington and Jefferson and Franklin at the beginning. Let us at this auspicious hour highly resolve to fulfil their great prophecies and purposes.

In the framing of arbitration treaties, the nations which are in earnest in the movement may learn a lesson in directness and simplicity of form from the admirable and adequate treaties concluded by Denmark with the Netherlands and Italy, which read as follows:—

“The high contracting parties engage to submit to the Permanent Court of Arbitration established at The Hague all differences of whatever character which may arise between them which they have not been able to solve by diplomatic methods, and this shall be done in the case where there shall be differences whose origin is in facts previous to the conclusion of the present convention.”

There are treaties of essentially the same character between certain other nations; but many more have used formulas excepting questions of “vital interest” and “national honor,” phrases so vague and indeterminate as to enable a nation whose “honor” happened to be a little weak at the moment of a particular stress to take refuge under them, and others, like our own recently emasculated by the Senate, have been so intricate that even the international lawyers could not agree as to what they meant. Let the United States frankly offer to conclude simple and unreserved treaties in form like the above with every nation willing to conclude them with us. Such nations might at first be few; but smaller nations like Switzerland, the Netherlands, and the Scandinavian countries would accept, Great Britain and France would probably accept, it is not unlikely that Germany and Japan and the South American States would do so—and here would be the beginning of a true League of Peace, which might rapidly expand to include all nations. Is not this the effort upon which we should all concentrate?

The American peace party urges the most constant and anxious effort to maintain confidence in our purposes and our friendship on the part of our sister American republics. It urges especially frank and manly efforts to consider and satisfy any just claims which the republic of Colombia may have against us, growing out of the situation at Panama. It urges the repeal of the provision in the recent Panama Act exempting our coastwise shipping from tolls, as a provision undoubtedly opposed to the letter and the spirit of the Hay-Pauncefote treaty. It deplores the fortification of the Panama Canal. The clear implication of the Hay-Pauncefote treaty was that the Canal should be as neutral as the Suez Canal, with simply police protection; and we believe that the Canal would be far safer if this condition were faithfully and trustfully observed, with all nations interested alike in the safety of this great commercial highway. We urge altogether an international policy based on trust. We believe that nations are largely the victims to-day of a false psychology, and that the brave assumption of the higher risks by a virtuous people would go far to dispel it and usher in a better day. We all urge a sharp reversal of the policy of making a Gibraltar of Panama; and in conformity with this we demand that the opening and dedication of the Canal shall be of such a character as will emphasize its significance for commerce and civilization, and not be a great military and naval display. We make a general protest against the tendency which has grown so startlingly during the last fifteen years to make the United States a military nation, with increasing prominence given to military and naval functions; and we trust this Administration will help restore the republic in this respect to the simple and worthy standards of the fathers.

Perhaps the chief condemnation of our conquest and occupancy of the Philippines, in opposition to the practically universal protest of the people and their desire for independence, is the fact that they constitute a point so vulnerable in case of war or friction. Our military expenditures there have been enormous; and our continuance there compels the maintenance of a vastly greater navy than we should otherwise maintain, swelling to that extent our contribution to the mad naval race which is exhausting the nations. Our policy as concerns the Philippines should be affected by this momentous consideration as well as by regard for the rights and aspirations of the people of the islands, and there is ground for trust that the present Administration will not disregard this great duty.

In addition to opposition to military and naval extravagances, it is to be hoped that the government will co-operate with the peace party in constructive measures for advancing international friendship. It was a saying of Edward Everett Hale's that a nation which

had a War department and no Peace department would soon be considered an unworthy member of international society. If a hundredth part of the money now applied to great military and naval establishments were devoted to efforts for international good understanding and co-operation, the results for national defense itself would be a hundred times as great. Our country should officially contribute generously to the promotion of the work of the Inter-parliamentary Union, of the International Peace Bureau at Berne and every such great international agency; and by the promotion of interchanges, with China and Japan, the South American republics and other states, of teachers, students, men of science and affairs, makers of public opinion, should do a hundred-fold what has hitherto been done to help create the international mind, which is the great guarantee of international safety and peace. The more rapidly nations increase their Peace Budgets, the more rapidly can they decrease their War Budgets. Justice and friendship, and not dreadnoughts, are a nation's true defense. It is more important to study how to make and keep all peoples our friends than it is to plan how to fight them when we have foolishly and wickedly made them our enemies. It accuses us that gross misunderstandings and such injustice as that in California which has just provoked such wrathful clamor against us in Japan should be possible. The time has come for vastly broader, more ambitious, more generous and more religious international policies than have hitherto obtained; and it is the peculiar opportunity and duty of the United States to lead in the opening of this larger life. Citizens who feel this should give emphatic and persistent expression of their feeling to their representatives in Congress, and assurances should be demanded from every candidate for Congress of his devotion to these policies and ideals. No misleading or mischievous statements in the press, no truckling to the navy craze nor fanning of the flames of hostility or suspicion toward any sister nation should be allowed to pass unchallenged. The men named to represent us at the coming Hague Conference and in every post of international responsibility and influence should be men uncompromisingly committed to the great cause of international justice and inspired with earnest devotion to it. It is for the bravest action of such men, supported by governmental power, that the whole world waits to-day. The peace party of the country asks the government of the country to lead it in the largest and noblest international program. It does it in confidence that the people of the country are behind it and are sick of the war system and the wasteful and burdensome system of armed peace which is almost worse. The memorable action of the International Congress of Chambers of Commerce in Boston, last September, showed impres-

sively how deeply the business men of America and of the world feel the present system to be opposed to all the true interests of commerce and economy and to the whole spirit of our present international civilization. The workingmen's organizations throughout the world are pronouncedly anti-militarist, the great Social Democratic parties of Germany and other European countries, made up so largely of workingmen, being so earnest and active for peace that more than once in recent times their demonstrations in critical exigencies have had a clear and perhaps determining influence on governments. The farmers of the country are with us, as expressed by the repeated declarations by the National Grange, representing a million of them, in its conventions. The National Federation of Women's Clubs, with its million women, has just officially made the peace cause its cause, and it speaks for the overwhelming majority of the women of the land. The National Education Association has unanimously indorsed the principles and efforts of the American School Peace League, affiliating that League as an integral part of itself, and also recognizing the peace cause as the cause of the schools of America. The broad new activities of the Federal Council of Churches through its strong Department of Peace, witnessing as they do to the larger and distincter devotion of all the churches of the country to the peace movement, add emphasis to the fact that the Christian religion and all religions mean nothing if they do not mean the reign of justice and reason and brotherhood among men. In the presence of these profound and assuring movements of the national mind and conscience, shall our politics alone take counsel of fear and not of faith—or will our statesmen lead the nation in the high service for the family of nations which is the commanding duty of the time?

Boston, April, 1913.





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Edited by EDWIN D. MEAD

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# THE UNITED STATES AND THE THIRD HAGUE CONFERENCE.

BY EDWIN D. MEAD.

Address at the Mohonk Conference on International Arbitration, May 15, 1913.

The most important fact which now confronts the peace party of the world is the approaching third Hague Conference. The most imperative duty of the peace party of this country is to see to it that the preparations for the program for that conference, so far as we can affect them, are of the broadest character, and that everything is done on our part to create the right public opinion with reference to that program, in order that the conference may bring the largest results. Those who are familiar with Mr. Root's masterly instructions to our delegates to the second Hague Conference will remember how he emphasized the fact that the second conference must be viewed not more with reference to its definite results than with reference to the foundations which it was to lay for great results in the future. Mr. Root thus emphasized the principle of continuity, which thought has determined the American action and attitude in the whole Hague movement.

With reference to the conferences at The Hague we Americans are in a singularly interesting and significant position. I do not believe for one thing that there is another nation whose documentary history of its relations to the conferences is so important as ours. There is certainly no other which has furnished through its leading representatives contributions to the history of the conferences comparable in volume, variety and importance to our own. The four men who, as respects achievement, have been our most important representatives at the two Hague conferences, have given us the best accounts of those conferences. These were Andrew D. White, head of our first delegation, and Secretary Holls; and at the second conference Mr. Choate, head of the delegation, and the technical secretary or adviser, Dr. James Brown Scott. We have that singularly fascinating and impressive account by Mr. White of the first conference, and the account of both conferences, in the second of which he was so prominent an actor, in Mr. Choate's lectures; and we have the full

histories by Mr. Holls and Dr. Scott. No other nation, I say, has such a body of first-hand records as this.

The instructions to our delegates by Secretary Hay and Secretary Root were of the most significant character; and, in considering our attitude to the third conference, we shall gain much by a careful study of the instructions to the delegates at the earlier conferences. We shall not approach the issues aright except along the lines of evolution and upon the principle and in the spirit of continuity which I have said has characterized our American attitude.

The instructions by Mr. Hay, I say with all respect, are not comparable in importance to the instructions by Mr. Root. I think that in certain aspects they are distinctly lacking in the statesmanship demanded. But that at this juncture amounts to little and need not be emphasized. The important thing is that Mr. Hay's instructions did lay emphasis upon two or three things which were of signal importance. Those who are familiar with the history of the two Hague conferences will recall that the programs were supplied by the Russian government; that the program for the first conference was under eight heads, eight subjects suggested or laid down for consideration; and that similarly the Russian government submitted the program for the second conference. Our American delegation never did a greater service to the world than when, in pursuance of the sagacious instructions of Mr. Root, they brought it about that never again should Russia or any other single power supply the program for the Hague conferences.

With reference to the first conference, students will remember that Mr. Hay dealt very lightly with all the points between the first and the eighth. The first point was concerned with the effort to bring about the limitation of armaments, and the eighth looked toward mediation and arbitration, the judicial and peaceable settlement of disputes. Mr. Hay passed over the rest lightly. The first he discussed, but he concluded it was merely a European problem. It is true this was before our own navy craze had assumed its large proportions; but Mr. Hay failed to see, as Mr. Root saw, how much the United States might precisely here do for the world. But he dwelt with luminousness on the last point; and vastly more important than the general text of his instructions were the two sections in the appendix, in which he outlined at length the part which the United States had played for two generations in agitating for an international tribunal, and himself submitted a plan for such a tribunal for consideration by the conference.

We could all wish that Andrew D. White might tell us some time while he is still with us all that he knows as to what the stages were

between the submission to the various experts upon the subject at the first Hague conference of this plan in Mr. Hay's instructions and the bringing in by Lord Pauncefoot of the plan for an international tribunal which became the basis of discussion and of action. I believe it was the action of the United States which gave the original prompting to the consideration of what became the great achievement of the first conference.

What Mr. Hay further did, going beyond the Russian program,—and Secretary Root returned to the point,—was to bring forward the question of the immunity of the peaceable ocean commerce of belligerents and to develop this as the historical American doctrine. It will be remembered that the greatest speech on that subject made at the first Hague conference was by Mr. White, the head of our delegation; and that in the general consideration of the eighth point submitted in the Russian program and dealt with by Secretary Hay few things were more important than the taking up, at the instance and chiefly through the effort of Mr. Holls, of the idea of special mediation. Mr. Holls also supported strongly the idea of commissions of inquiry, which, adopted by the first conference, was further developed by the second conference, and which has now become a cardinal feature of Secretary Bryan's policy in the further development of international organization, extending the principles which he supported so strongly in his speech before the Interparliamentary Union in London in 1906.

Consider for a moment—and I am not given to Chauvinism and do not recur to this for the stirring of any improper national pride, but simply to emphasize the immense services of the United States in this last conference, that we may view them in the proper light—two or three significant things. It was due to the efforts of Mr. Choate and Dr. Scott that the official world cannot forget that the second Hague conference met through the initiative of the United States, and not through the initiative of the Czar of Russia, a fact not recognized in the first draft of the preamble of the conference's final act. It was through the initiative of the United States that it was provided by the second Hague conference that at least a third Hague conference should meet,—which we know means a fourth and a fourteenth; and provided that the machinery should be constituted whereby the convening of the conferences and the preparation of the programs should be regularized, the machinery for this be made international, and the organization of the conference itself free and international. These things were brought about by our American delegates at the second Hague Conference; and they are of immense moment.

With reference to our duties at the third Hague Conference, we

should realize there so far as we did not realize it at the second conference the great program of Mr. Root submitted for that conference, with one or two additions which our subsequent experience prescribes. Mr. Root took up the Russian program for the second conference as it was submitted, the program this time including the discussion of the immunity of the private property of belligerents at sea. He added two important proposals, one of which, through the strong effort of General Porter, became the law of the world at that second conference, viz., the limitation of force in the collection of contractual debts. The other point Mr. Root developed with great power. It is a thing of cardinal importance for us Americans to remember that Mr. Root deplored the fact that Russia in her second program had left off the question of limitation of armaments, which was her main concern in calling the first conference. In urging that this should have a place in the program, he addressed in 1906 a special letter to the Russian government, which is incorporated in his final instructions to our delegation, giving the reasons why he hoped that the nations of the world would not neglect the consideration of that monstrous burden and menace with regard to which the Hague Conference had been originally proposed. Briefly before our delegates departed Mr. Root made that memorable speech at the great New York Peace Congress, in which he called upon the American people, the American peace party, to work for the creation of such a public opinion and influence as would secure and enforce the serious attention of the governments at The Hague to the question of the limitation and reduction of armaments. "The effort may fail," he said, "in this conference as it failed in the first; but, if it fails, one more step will have been taken toward ultimate success. Long-continued and persistent effort is always necessary to bring mankind into conformity with great ideals. Every great advance that civilization has made on its road from savagery has been on stepping-stones of failure; and a good fight bravely lost for a sound principle is always a victory."

Mr. Root developed in his instructions the idea of a court of arbitral justice, which was worked out in its details chiefly by Dr. Scott at the second conference, emphasizing the immense importance of the treatment of great classes of cases under the stricter rules of law and equity rather than in a diplomatic or arbitral way. He urged effort for mutual provision for obligatory arbitration as broad in scope as was practicable, and he took up again the question of the immunity of private property at sea in war.

In approaching the third conference, there are certain things not touched upon by Mr. Root in 1907 which should certainly be care-

fully considered. A strong word was recently spoken at Mohonk by Jackson H. Ralston upon the crime of permitting loans by neutrals to belligerents. James Speyer, the New York banker, read a powerful paper upon that subject before the Baltimore Peace Congress in 1911, and Oscar Straus has repeatedly spoken upon the subject in recent years. I wish that this matter might be included in the instructions to our delegates to the coming conference. I wish, too, that we might take up in earnest the matter which was taken up with considerable effectiveness by the First Hague Conference, but not adequately followed up by the second, the question of forbidding the addition of the air to the land and the sea as a theatre of war. Many analogies have been drawn between the war against slavery and the war against war. The free soil protest was one of the noteworthy factors in the war against slavery. A firm stand must now be taken to prohibit the extension of the area of war, and, as the slogan at one juncture in the war against slavery was "free soil," let us add that of "free air" in our own contention. Let us maintain the freedom of the air from war. Let us work for the adoption of this important principle and of the great principles laid down by Mr. Root in such a masterly way in 1907 that his instructions to our delegates to the second conference should be viewed as a classic, a veritable little bible of international wisdom, by every one of us, until those prophecies and demands shall be fulfilled.

I think we are in an auspicious position, especially as concerns the co-operation of Germany and England. Many will remember that, as regards the immunity of private property at sea, Germany stood with us at the last Hague Conference. It is a significant historical fact that the first treaty in human history in which the parties agreed that in case of war their merchant marine should reciprocally remain free from capture was the treaty of 1785 signed by Franklin, Jefferson and Adams, for us, with Prussia, Frederick the Great then being King of Prussia. That principle, held to-day, is a bond between Germany and the United States. We have noted how Mr. Root demanded the restoration to the program of the Second Hague Conference of the question of the limitation of armaments. That demand was also made by the prime minister of Great Britain, Sir Henry Campbell-Bannerman. Germany thus stands with us on one great issue, and Great Britain on the other; and indeed the party for immunity in Great Britain itself, led by such men as Lord Loreburn, was never so strong as to-day.

Let us remember, finally, the four great principles laid down by Mr. Root in 1907 for American guidance. The first duty always, he said, is to make provisions to prevent disagreements between

nations; the second is to dispose of disagreements without war; the third is to preserve the rights and interests of neutrals; and the fourth is to mitigate the evils of war to belligerents. The relative importance of these provisions he justly urged us to keep steadily in mind. It was said by a prominent speaker at the present Mohonk conference that arbitration is more important than peace. Most of us understand arbitration to be merely a means for the peaceful instead of the hostile settlement of disputes. Even that with Mr. Root is the secondary thing: the first is to root out the causes of war. A constant cause of war has been, as has been so powerfully brought out in recent time by the situation in Europe, the awful menace of armaments. The pregnant lesson of the unfortified Canadian frontier, so often touched upon in these days, perhaps the chief cause of our century of peace with Great Britain, we are in frightful danger of neglecting at Panama. The great armaments are the chief hindrance to the development of arbitration itself. From every point of view Mr. Root is justified in his reiterated and solemn appeals to the governments and peoples to address themselves directly to the question of the arrest of armaments. The notion with which the lawyers who are not statesmen have sought to beguile us, that disarmament would be the easy by-product of improved arbitral courts, is negatived by the portentous growth of armaments, never before so startling, at this very hour; and the man in the street is wiser than they in insisting that sharp and direct dealing with this intolerable burden is the test of the sincerity of governments professing policies of peace.

If, in a word, I am asked what in my judgment we should seek to carry out at the third Hague conference, I should say, Work for the realization, with the additions I have ventured to suggest, of the things in Mr. Root's program for the second conference which were not then realized. I wish that Mr. Root himself might lead our delegation in 1915; for it is in the power of the third Hague conference, under right leadership, to confer inestimable benefit upon mankind. Let us make Mr. Root's program our program; and let us especially bestir ourselves at this moment to bring it about that men of his temper and his vision are appointed to controlling place upon the preparatory committee which, through the sagacious foresight of our representatives at the second conference, must immediately be created to define the program for the coming conference.



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## PRESIDENT WILSON TO COLLEGE STUDENTS.

On Saturday, October 25, 1913, President Wilson took part in the exercises in the restored Congress Hall at Philadelphia. On the same day he spoke at the annual Founders' Day exercises at Swarthmore College, in celebration of the founding of the state by William Penn, and in plain view of Penn's landing-place on the Delaware. President Swain, of Swarthmore College, Isaac H. Clothier, president of the Board of Managers, Governor Tener of Pennsylvania and Congressman A. Mitchell Palmer, representing the Swarthmore alumni, took part in the preliminary exercises, Mr. Palmer being introduced as the man who brought President Wilson to Swarthmore.

*Mr. Palmer said:* "Swarthmore College, named for the home of George Fox, the founder of the religious society of Friends, and standing within sight of Upland where William Penn, the founder of our commonwealth of Pennsylvania, first set foot upon his domains, very properly harks back to times far in advance of its own actual founding in the celebrating of this day. While the work of establishing a seat of learning here came really two hundred years after these men had walked upon the earth, it was the desire to advance the teachings of the one and work out the ideals of the other which really actuated the Friends who founded this institution. It is the fondest hope and constant prayer of those who are to-day carrying on the work here that the men and women who in the character-forming years of their lives seek inspiration and learning within these halls may, so far as within them lies, exert upon their fellows, their state and their country influences akin to the teachings and ideals of George Fox and William Penn.

It is more than the casual meeting upon the same day which marks the significance of the dual celebration in which the President of the United States has to-day participated. The restoration of Congress Hall brings to the mind of the present generation of men the events which mark the beginning of the republic,—the most advanced step in free government then dreamed of by practical men. This ceremony is intended to recall the events which center around the great experiment in government, antedating the Revolution by nearly one hundred years, which gave to the vast empire of Pennsylvania and to the city of Philadelphia the most advanced system of liberal government then enjoyed upon the continent. Whether tested by the terms of the original frame of government published by Penn in 1681, or of the charter of purchase issued twenty years later, or of the charter of the city of Philadelphia promulgated in 1701, the standard fixed by William Penn was set higher for the welfare of the masses than any other of the colonial governments of the time. All the development of this great commonwealth of seven million souls has come from the exercise by colonial and state government of the powers which Penn gave to the two hundred men who

first set out to try the greatest experiment in the country. These laws constituted a bill of rights which guaranteed good government for the province, liberty of conscience and a full share of political freedom for every person within it, free or servant. The people,—and, unlike many another dream of free government in those times, it came true,—the people actually enjoyed the rights guaranteed them as long as the beneficent founder lived, and after his death they were too secure to be more than temporarily shaken by the efforts of selfishness and greed. Penn's treatment of the peoples alien to his own showed his purpose to be moved by no desire for growth for himself or profit for his people. He was actuated by the true love for all of God's creatures, which was the leaven that worked the zeal of the earnest characters of that time. At Shackamaxon he made his treaties with the most powerful people of his world. He and his children said: 'We never fire the rifle, never trust to the sword. We meet the red men on the broad path of good faith and good will; we mean no harm, we have no fear.' He read the treaty of friendship. No oaths, no seals, no mummeries, were used. The treaty was ratified on both sides in accordance with the injunction, 'Let your yea be yea, and your nay, nay'; and, unlike the treaties sworn and sealed, it never was broken. The treatment of his civilized neighbors was not different. His legislature reluctantly granted a small sum of money for the defense of the boundary, upon condition that it should not be dipped in blood, and his lines were never crossed by hostile foot. May we not take a lesson from this man's ideals, crowding upon him when political liberty was but a dream, and from his methods in striving to achieve them,—a lesson which may fit the present hour? From his successes may we not learn to be assured that free government may exist and extend with liberty of conscience and an equal share of political freedom for every man upon this continent, while we fire no rifle and trust in no sword? If friendship and good will, fair dealing and good faith, could secure peace with savage tribes while God-fearing men worked out their plans in Christian service, may we not have faith that our American treasure need not be dipped in blood to secure the peace that guarantees political liberty to our dependents, our neighbors and ourselves?"

*President Wilson spoke as follows:* "I find myself unaffectedly embarrassed to-day. I am somewhat confused as to my identity. I am told by psychologists that I would not know who I am to-day if I did not remember who I was yesterday; and yet I recall that yesterday I was a college president, and that does not assist me in establishing my identity to-day. This very presence, the character of this audience, this place with its academic memories, all combine to remind me that the greater part of my active life has been spent in companies like this; and it will be very difficult for me to keep out of the old ruts of admonition which I have been accustomed to follow in the rôle of college president.

"No one can stand in the presence of a gathering like this, on a day suggesting the memories which this day suggests, without asking himself what a college is for. There have been times when I have suspected that certain undergraduates did not know. I remember that in days of discouragement as a teacher I recalled the sympathy of a friend of mine in the Yale faculty, who said that after twenty years of teaching he had come to the conclusion that the human mind had infinite resources for resisting the introduction of knowledge. And yet I have my serious doubts as to whether the main object of the college is the introduction of knowledge. It may be the transmission of knowledge through the human system, but not much of it sticks. Its introduction is temporary, for the discipline of the hour. Most of what a man learns in college he assiduously forgets afterward, not because he purposes to forget it, but because the crowding events of the days that follow seem somehow to eliminate it. But what a man ought never to forget with regard to a college is that it is a nursery of principles and of honor.

"I can't help thinking of William Penn as a sort of spiritual knight who went out upon his adventures to carry the torch that had been put into his hands, so that other men might have the path illuminated for them which led to justice and to liberty; and I can't admit that a man establishes his right to call himself a college graduate by showing me his diploma. The only way he can prove it is by showing that his eyes are lifted to some horizon which other men less instructed than he have not been privileged to see. Unless he carry freight of the spirit, he has not been bred where spirits are bred. William Penn, representing the sweet enterprise of the quiet and powerful sect that called themselves Friends, proved his right to the title by being the friend of mankind; and he crossed the ocean not merely to establish estates in America, but to set up a free commonwealth in America and to show that he was of the lineage of those who had been bred in the best traditions of the human spirit. I should not be interested in celebrating the memory of William Penn if his conquest had been merely a material one. Sometimes we have been laughed at by foreigners in particular for boasting of the size of the American continent, the size of our own domain as a nation, and they have naturally suggested that we did not make it. But I claim that every race and every man is as big as the thing he takes possession of, and that the size of America is in some sense a standard of the size and capacity of the American people. But the extent of the American conquest is not what gives America distinction in the annals of the world. It is the professed purpose of the Quaker, which was to see to it that every foot of that land should be the home of free, self-governed people, who should have no government whatever which did not rest upon the consent of the governed. I should like to believe that all this hemisphere is devoted to the same sacred purpose, and that nowhere can any government endure which is stained by blood or supported by anything but the consent of the governed. And the spirit of Penn will not be

stayed. You cannot set limits to such mighty adventurers. After their own day is gone, their spirits stalk the world, carrying inspiration everywhere they go, and reminding men of the fine lineage of those who have sought justice and the right.

"It is no small matter, therefore, for a college to have as its patron saint a man who went out upon such a quest. And what I should like to ask you young people to-day is, How many of you have devoted yourselves to the like adventure? How many of you will volunteer to carry these spiritual messages of liberty to the world? How many of you will forego anything except your allegiance to that which is just and that which is right? We die but once, and we die without distinction if we are not willing to die the death of sacrifice. Do you covet honor? You will never get it by serving yourself. Do you covet distinction? You will get it only as the servant of mankind. Do not forget, then, as you walk these classic places, why you are here. You are not here merely to prepare to make a living. You are here in order to enable the world to live more amply, with greater vision, with a finer spirit of hope and achievement. You are here to enrich the world, and you impoverish yourself if you forget the errand. And so it seems to me that there is no great difference between the ideals of the college and the ideals of the state. Can you not translate the one into the other? Men have not had to come to college, let me remind you, to quaff the fountain of this inspiration. You are merely more privileged than they. Men out of every walk of life, men without advantages of any kind, have seen the vision; and you, with it written large upon every page of your studies, are the more blind if you do not see it when it is pointed out. You could not be forgiven for overlooking it. They might have been, but they did not wait instruction. They simply drew the breath of life into their lungs, felt the aspirations that must come to every human soul, looked out upon their brothers and felt their pulses beat as their fellows' beat, and then sought by counsel and action to move forward to common ends that would be characterized by honor and achievement. This is the only glory of America."

William Penn's famous pamphlet upon "The Present and Future Peace of Europe," published in 1693, the first comprehensive and disinterested plan for international federation, is reprinted among the Old South Leaflets, and may be procured from the World Peace Foundation; price, five cents. College students having at heart the interests of international justice and the better organization of the world are urged to read also the pamphlets "To the Picked Half Million," by William T. Stead, "Internationalism among Universities," by Louis P. Lochner, and "Educational Organizations Promoting International Friendship," by Lucia Ames Mead, all free on application to the World Peace Foundation. The Foundation has established an International Students' Bureau, to promote good understanding and co-operation among the students of all nations and to serve as a center for educational work for internationalism in the whole university field; and students everywhere are invited to enter into relations with the bureau and receive its literature.

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WORLD PEACE FOUNDATION,  
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# THE PROPER ATTITUDE OF THE HAGUE CONFERENCE TOWARD THE LAWS OF WAR.

BY JACKSON H. RALSTON.

Address at the Mohonk Conference on International Arbitration, May 15, 1913.

In what I here have to say I wish to have one thing accepted as a postulate, and that is that war represents the abnormal state of society; that it is an evil, if not a crime; that it is a disease. Whether a crime or merely an evil or a disease, it is to be limited, proscribed, interfered with in every possible way in its operations by those who are normal and healthy, and is not to be coddled or favored or its purposes furthered by the action of a Hague Conference or of any other assemblage of men. The fault I have to find with the last Hague Conference is that it took the second of these positions, and not the first. The hope I have to express for the next Hague Conference is that its attitude will be the reverse of that of the last.

Speaking merely in terms of arithmetic, I find in going over the work of the last Conference there were but two conventions signed having any relation whatsoever to questions of peace and arbitration, and that there were twelve conventions signed having direct relation to matters of war,—one to six. But this is not, from my point of view, the most serious thing to take into consideration. If we were framing laws against crime or evil or disease,—and I am speaking of war as offering analogies to all, and shall use the word crime as more apposite for the purpose of illustration,—we should say that such laws should be framed by those who do not expect or intend to commit crime and should not be framed by those who, in the back of their heads, have an intention or expectation sooner or later of engaging in it. We want the laws formulated by the next Hague Conference to be framed from the standpoint of those who do not expect and do not intend to go to war. We do not want the laws of war framed, as they have been in the past and were at the last Hague Conference, by those who do expect sooner or later to engage in war and who want their warlike operations facilitated,—made easy. Herein lies the gist of my criticism of the operations of the last Hague Conference and my reason for advocating a change of attitude on the part of the next Conference.

To illustrate more in detail: If we come together, we who do not intend to commit offenses, and organize and pass laws covering them, there are certain things to be considered from a sane, healthy point of view.

First, we agree that crime ought not to exist, merely as a matter of morals, because of the effect of its commission upon the persons engaged in it and because of its bad moral influence upon the whole community. Let us take this as a starting point.

Next, we go further, and say—for this we do in our national laws, civil and criminal—that, if offenses are committed, the damages they inflict upon those who are no parties to them shall be minimized to the last possible degree; and we further say that the person who commits them shall gain no possible benefit from doing it. These are the propositions which appeal to us when we are dealing with crime pure and simple. I do not speak of the element of retributive justice. That offers considerations which are aside from the purposes of this address.

When war was dealt with and the prevention of it considered at the last Hague Conference, it was dealt with in a vague and inefficient manner, as, while a pretense was offered of checking it by arbitration, this was hedged about in every way by limiting the circumstances under which arbitration should be practised. In the back of the heads of those framing the convention was all the time an expectation that the nations they represented would find it convenient to go to war at some time. Let us ask the next Hague Conference to get rid of that expectation, to put the problem before it as if the principals did not intend to go to war and did not propose to have any excuse for it. Then we shall have an infinitely better arbitration treaty to commence with than we have to-day.

Go a step further. I said that, if we dealt with national offenses, we sought to circumscribe them and to prevent outsiders from being injured and to restore them, as far as we could, in their persons and estate, if they were injured; but when we have sent our United States delegates to The Hague, have we viewed war from such a standpoint? No, except it be in the very slightest possible degree. We have resorted to expedients; we have tried to trim war a little here and there. The proper viewpoint was that the right of the neutral should be preserved and the power of the combatant limited.

Why do we say that we have heretofore failed? We have recognized, for instance, the absolute propriety of blockades. —What are blockades except interference, not only with the right of commerce generally, but direct interference with the rights of neutrals? What natural right has the combatant to say to me, who happen to be a neutral, "You shall have nothing to do with another man," when it is to my interest and advantage to trade and deal with that other man? I say we accept blockades and treat them as if they were a natural thing. We don't stop to consider the fact that a blockade is a direct interference with the rights of neutrals, with which we have had to put up for hundreds of years and as to which, if we regard the rights of peace and the wrongs of war, we must change our



attitude. We must demand that the neutral shall not be interfered with in his natural right to trade, at the will of any combatant.

Another illustration, largely discussed at The Hague, and which, perhaps, will come up in some shape at the next Conference, from which we can demonstrate what I mean by the point of view. The last Hague Conference, with a great deal of ingenuity, after extensive debates, determined that floating mines in times of war might be placed in certain areas of certain waters, and certain other mines should become extinct or harmless after a given number of hours, and under particular circumstances mines should be cleared away from the possible pathway of commerce; and it would not seem to have entered into the minds of its members to consider that the placing of a floating mine where neutral commerce might exist was an outrage on the rights of men. Never once, apparently, did it occur to them, instead of writing these lengthy regulations, to say simply this: that the nation which places floating mines or other obstructions to commerce, from which innocent parties might be injured, should itself be held to the strictest responsibility for the damages inflicted. If they had put in those few words and had enabled a neutral who was injured to go to The Hague for damages,—if they had put in those few words, they could have done away with all the regulations in the Hague treaties. And then they would have recognized the right of the neutral to his perfect freedom of trade, and they would have recognized the responsibility of the man or nation interfering with such freedom of trade.

But we say, speaking in terms of the laws of war generally, that the neutral who is injured by the accidents of war has no remedy whatsoever. I say that is wrong, that the powers which undertake to go to war should be held responsible for the incidents and accidents of war, and there is no reason on earth why nations taking the law into their own hands should not be held responsible just as individuals are held responsible under like circumstances. If I see an enemy before me, and fire a gun intending to hit that enemy, and I hit some one else, I am held responsible. I cannot say that it is one of the accidents or incidents of dueling. The law takes hold of me and holds me responsible. But in the case of nations, there is no such responsibility. Again, we permit the sale of arms, and it is not forbidden internationally or nationally. We permit this sale to people engaged in warfare, overlooking the fact that such conduct is as right, as moral, as it is to put a gun and ammunition into the hands of a man crazed with anger and trying to kill his fellow. One act is no more moral than the other. Limiting ourselves to consideration of the principle, this must be admitted.

Once more, if two nations in Europe go to war, no matter for what reason, they can float their loans for warlike purposes with any other nation. This, again, is a matter of utter immorality, as entirely

immoral as it is to sell ammunition to a man crazed with anger, trying to kill his fellow. There is no difference between the morality of selling a gun and ammunition to that man and furnishing him with the money with which he intends, and you know he intends, to buy that gun and ammunition. And this must be dealt with as far as it can be by the next Hague Conference.

I said that we should deal with this matter on the same theory that we apply when we deal with matters of crime. We forbid the man who commits crime from gaining benefit from the act. If he kills a man to rob him, do we allow him to enjoy the fruits of his robbery? If two men engage in a fight and one overcomes the other, do we allow the victorious one to hold the other down until he extracts from him as much money as he considers proper, in view of the fact that the successful man has encountered resistance? No, we do not. And yet, when we come to nations, we allow the successful one to steal power and money from the unsuccessful nation, and do so without limitation. This is immoral, it is wrong. And if the laws of war were really laws,—that is to say, if they had the moral basis of law,—it would be utterly and absolutely impossible for one nation to say to another, "We will not release our hold upon you until you give us such and such lands and such and such money." There is no difference in the morality of the several cases, and I know no objection that will stand the test of common honesty to the observations I am now making.

Yet we say nations are sovereign, and we have no control over them. This matter of sovereignty as used in this connection is a fiction, a superstition. We say that corporations are individuals. For certain purposes they are to be treated as individuals, and yet, if the board of directors of a corporation violate the criminal law, we deal not with the fiction of law, but with the realities of life. We deal with the members of the board who do wrong, because of their wrongdoing. It is not an imaginary thing, an artificial sovereignty, committing wrong in connection with the so-called laws of war. It is a real thing composed of men, and these men should be regarded as offenders. We must, in short, look through the fiction of sovereignty to the real fact, and admit no sovereignty that conflicts with moral law.

I express the hope, in conclusion, that we may learn to look at the laws of war from the true point of view, the point of view of health, sanity, common honesty and decency, and that we may demand of our delegates who go to the next Hague Conference that they go not as representatives of a nation which intends, or at least expects, sooner or later to be obliged to engage in war, but as representatives of a nation which does not intend to go to war and which proposes to do everything in its power to make war impossible.

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WORLD PEACE FOUNDATION,  
BOSTON.

# PRESIDENT WILSON ON THE UNITED STATES AND LATIN AMERICA.

*Address before the Southern Commercial Congress at Mobile, Alabama,  
October 27, 1913.*

Your Excellency, Mr. Chairman, it is with unaffected pleasure that I find myself here to-day. I once before had the pleasure, in another Southern city, of addressing the Southern Commercial Congress. I then spoke of what the future seemed to hold in store for this region, which so many of us love and toward the future of which we all look forward with so much confidence and hope. But another theme directed me here this time. I do not need to speak of the South. She has, perhaps, acquired the gift of speaking for herself. I come because I want to speak of our present and prospective relations with our neighbors to the south. I deemed it a public duty, as well as a personal pleasure, to be here to express for myself and for the government I represent the welcome we all feel to those who represent the Latin-American States.

The future, ladies and gentlemen, is going to be very different for this hemisphere from the past. These States lying to the south of us, which have always been our neighbors, will now be drawn closer to us by innumerable ties, and, I hope, chief of all, by the tie of a common understanding of each other. Interest does not tie nations together: it sometimes separates them. But sympathy and understanding does unite them, and I believe that by the new route that is just about to be opened, while we physically cut two continents asunder, we spiritually unite them. It is a spiritual union which we seek.

I wonder if you realize, I wonder if your imaginations have been filled, with the significance of the tides of commerce. Your governor alluded in very fit and striking terms to the voyage of Columbus; but Columbus took his voyage under compulsion of circumstances. Constantinople had been captured by the Turks and all the routes of trade with the East had been suddenly closed. If there was not a way across the Atlantic to open those routes again, they were closed forever, and Columbus set out, not to discover America, for he did not know that it existed, but to discover the eastern shores of Asia. He set sail for Cathay, and stumbled upon America. With that change in the outlook of the world, what happened? England, that had been at the back of Europe with an unknown sea behind her, found that all things had turned as if upon a pivot, and she was at the front of Europe; and since then all the tides of energy and enterprise that have issued out of Europe have seemed to be turned westward across the Atlantic. But you will notice that they have turned westward chiefly north of the equator, and that it is the northern half of the globe that has seemed to be filled with the

media of intercourse and of sympathy and of common understanding.

Do you not see now what is about to happen? These great tides which have been running along parallels of latitude will now swing southward athwart parallels of latitude, and that opening gate at the Isthmus of Panama will open the world to a commerce that she has not known before,—a commerce of intelligence, of thought and sympathy between North and South. The Latin-American States, which, to their disadvantage, have been off the main lines, will now be on the main lines. I feel that these gentlemen honoring us with their presence to-day will presently find that some part, at any rate, of the center of gravity of the world has shifted. Do you realize that New York, for example, will be nearer the western coast of South America than she is now to the eastern coast of South America? Do you realize that a line drawn northward parallel with the greater part of the western coast of South America runs only about 150 miles west of New York? The great bulk of South America, if you will look at your globes (not at your Mercator's projection), lies eastward of the continent of North America. You will realize that when you realize that the canal will run southeast, not southwest, and that, when you get into the Pacific, you will be farther east than you were when you left the Gulf of Mexico. These things are significant, therefore, of this,—that we are closing one chapter in the history of the world and are opening another of great, unimaginable significance.

There is one peculiarity about the history of the Latin-American States which, I am sure, they are keenly aware of. You hear of "concessions" to foreign capitalists in Latin-America. You do not hear of concessions to foreign capitalists in the United States. They are not granted concessions. They are invited to make investments. The work is ours, though they are welcome to invest in it. We do not ask them to supply the capital and do the work. It is an invitation, not a privilege; and States that are obliged, because their territory does not lie within the main field of modern enterprise and action, to grant concessions are in this condition, that foreign interests are apt to dominate their domestic affairs,—a condition of affairs always dangerous and apt to become intolerable. What these States are going to see, therefore, is an emancipation from the subordination, which has been inevitable, to foreign enterprise and an assertion of the splendid character which, in spite of these difficulties, they have again and again been able to demonstrate. The dignity, the courage, the self-possession, the self-respect, of the Latin-American States, their achievements in the face of all these adverse circumstances, deserve nothing but the admiration and applause of the world. They have had harder bargains driven with them in the matter of loans than any other peoples in the world. Interest has been exacted of them that was not exacted of anybody else, because the risk was said to be greater; and then securities were taken that

destroyed the risk,—an admirable arrangement for those who were forcing the terms. I rejoice in nothing so much as in the prospect that they will now be emancipated from these conditions; and we ought to be the first to take part in assisting in that emancipation. I think some of these gentlemen have already had occasion to bear witness that the Department of State in recent months has tried to serve them in that wise. In the future they will draw closer and closer to us because of circumstances of which I wish to speak with moderation and, I hope, without indiscretion.

We must prove ourselves their friends and champions upon terms of equality and honor. You cannot be friends upon any other terms than upon the terms of equality. You cannot be friends at all except upon the terms of honor. We must show ourselves friends by comprehending their interest, whether it squares with our own interest or not. It is a very perilous thing to determine the foreign policy of a nation to the terms of material interest. It not only is unfair to those with whom you are dealing, but it is degrading as regards your own actions.

Comprehension must be the soil in which shall grow all the fruits of friendship; and there is a reason and a compulsion lying behind all this which is dearer than anything else to the thoughtful men of America. I mean the development of constitutional liberty in the world. Human rights, national integrity, and opportunity as against material interests,—that, ladies and gentlemen, is the issue which we now have to face. I want to take this occasion to say that the United States will never again seek one additional foot of territory by conquest. She will devote herself to showing that she knows how to make honorable and fruitful use of the territory she has, and she must regard it as one of the duties of friendship to see that from no quarter are material interests made superior to human liberty and national opportunity. I say this, not with a single thought that any one will gainsay it, but merely to fix in our consciousness what our real relationship with the rest of America is. It is the relationship of a family of mankind devoted to the development of true constitutional liberty. We know that that is the soil out of which the best enterprise springs. We know that this is a cause which we are making in common with our neighbors, because we have had to make it for ourselves.

Reference has been made here to-day to some of the national problems which confront us as a Nation. What is at the heart of all our national problems? It is that we have seen the hand of material interest sometimes about to close upon our dearest rights and possessions. We have seen material interests threaten constitutional freedom in the United States. Therefore, we will now know how to sympathize with those in the rest of America who have to contend with such powers, not only within their borders, but from outside their borders also.

I know what the response of the thought and heart of America will be to the program I have outlined, because America was created to realize a program like that. This is not America because it is rich. This is not America because it has set up for a great population great opportunities of material prosperity. America is a name which sounds in the ears of men everywhere as a synonym with individual opportunity because a synonym of individual liberty. I would rather belong to a poor nation that was free than to a rich nation that had ceased to be in love with liberty. But we shall not be poor if we love liberty, because the nation that loves liberty truly sets every man free to do his best and be his best, and that means the release of all the splendid energies of a great people who think for themselves. A nation of employees cannot be free any more than a nation of employers can be.

In emphasizing the points which must unite us in sympathy and in spiritual interest with the Latin-American peoples, we are only emphasizing the points of our own life, and we should prove ourselves untrue to our own traditions if we proved ourselves untrue friends to them. Do not think, therefore, gentlemen, that the questions of the day are mere questions of policy and diplomacy. They are shot through with the principles of life. We dare not turn from the principle that morality, and not expediency, is the thing that must guide us, and that we will never condone iniquity because it is most convenient to do so. It seems to me that this is a day of infinite hope, of confidence in a future greater than the past has been, for I am fain to believe that, in spite of all the things that we wish to correct, the nineteenth century that now lies behind us has brought us a long stage toward the time when, slowly ascending the tedious climb that leads to the final uplands, we shall get our ultimate view of the duties of mankind. We have breasted a considerable part of that climb, and shall presently—it may be in a generation or two—come out upon those great heights where there shines unobstructed the light of the justice of God.

President Wilson's Mobile speech was in harmony with his declaration to the American Republics on March 12, 1913, in which he said: "One of the chief objects of my Administration will be to cultivate the friendship and deserve the confidence of our sister republics of Central and South America and to promote in every proper and honorable way the interests which are common to the peoples of the two continents. We can have no sympathy with those who seek to seize the power of government to advance their own personal interests or ambitions. We are the friends of peace, but we know that there can be no lasting or stable peace under such circumstances. . . . The United States has nothing to seek in Central and South America except the lasting interests of the peoples of the two continents, the security of Governments intended for the people and for no special group or interest and the development of personal and trade relationships between the two continents which shall redound to the profit and advantage of both, and interfere with the rights and liberties of neither."

The Southern Commercial Congress at Mobile, before which President Wilson spoke on October 27, adopted a strong resolution of indorsement earnestly urging all citizens to support the endeavor to have the United States "establish its foreign policy on a basis of morals rather than of expediency, thus declaring to our sister nations throughout the world the only secure foundation for all international relations." The same spirit informed throughout the great conference on Latin America held at Clark University, Worcester, Mass., November 18-22, 1913.

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